

# HOUSING

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## HOUSING IN NEW YORK

Mayor Walker's Gargantuan Committee of 507 members on the Plan and Survey of New York City has, after two years of study, completed its labors and has recently rendered its Report.

The Committee has rightly recognized that the problems it had been asked to consider were too vast and complicated to be successfully dealt with by a body constituted as it was, and has contented itself with making the single recommendation that the whole subject, and the various recommendations made by its different Sub-committees, be referred to a permanent City Planning Commission, which, it urges, should be promptly appointed.

The Report of the Housing Division, headed by Lawrence Veiller, has sufficient interest for our readers, so that we give it in full.

### DIVISION ON HOUSING LAWRENCE VEILLER, *Chairman*

New York City has been conscious of a serious housing problem for nearly 100 years.

Various attempts have been made at different times to deal with it. These have had varying degrees of success.

Nearly every method of relief associated with housing reform the world over has been employed here.

Such effort has addressed itself not only to the relief, but to the cure and to the prevention of housing evils as well.

It has taken the direction of regulatory laws controlling the conditions under which multiple-dwellings may be erected, altered, maintained and used. This, since 1867.

It has taken the direction of the building of so-called "model-tenements," or improved dwellings, in numerous instances, by limited-dividend companies—"philanthropy and five per cent"—in various parts of the city—since 1855 and many millions of dollars are today invested in such enterprises.

It has included the effort known as the "Octavia Hill" plan, by which old, run-down houses occupied by the very poor, are taken over, properly managed and gradually improved.

It has included efforts at amelioration of conditions through the process known as "Friendly Rent Collecting"—as well as through the distributing of "educational" documents on housing in organized fashion in the public schools and elsewhere.

It has deemed housing of such major importance that it has established a separate branch of the city government, the Tenement House Department, charged with no other duties but those of looking after the Housing of the people, and on this the city has spent over seventeen millions of dollars (\$17,502,094.60) over a period of 25 years. Today that Department has a staff of nearly 500 employees and an appropriation of over a million dollars (\$1,026,532) for its work in 1928.

It has armed that Department with every legal weapon to enable it to enforce the laws enacted to secure better housing.

It has established a special legal tribunal with a separate day each week set aside for the hearing of cases involving the enforcement of the housing laws, so that there can be specialized treatment, with specialized knowledge, of this highly complex problem.

It has subsidized new housing for a limited term of years through tax exemption of buildings under certain conditions.

It has carried out "Slum Clearance" schemes involving the destruction of hundreds of houses found to be "unfit for human habitation," and has replaced the slums thus cleared with small parks and recreation grounds.

It has carried into effect a comprehensive scheme for such amelioration of conditions in the older houses as is practicable. This has involved the wholesale removal of all privy vaults and similar contrivances by the thousands; the cutting in of windows to let light and air into heretofore dark and airless rooms by the hundreds of thousands; the lighting of dark halls by means of putting glass panels in place of wooden panels in the hall doors by the thousands; the installing of modern water-closets inside of old houses by thousands; the equipment of thousands of houses with adequate fire escapes.

The results of these efforts, especially of the revolutionary changes made 25 years ago, by the enactment of the tenement house law in 1901, are reflected in reduced death-rates and reduced tuberculosis rates of the city—though, naturally there have been other factors contributing to this result.

In 1901 the death rate was 19.90 in the thousand.

In 1927 the death rate was 11.80 in the thousand.

In 1901 the death rate from all tuberculosis was 2.64.

In 1927 the death rate from all tuberculosis was .86.

#### PRESENT CONDITIONS

So much for the Past. What concerns us now is the Present and the Future.

Are the great mass of the people of this city today living under adequate conditions? Is New York's housing something that the city can be proud of? Is it worthy of a city of the greatness, the wealth and the intelligence of New York?

Has the old stigma of "having the worst housing conditions of any city in the civilized world" been removed?

We regret to say that the answer to all these questions must be in the negative.

No truthful person can say that the great mass of the people of New York are either adequately or well housed.

A third of the city's population—over two million people—live under unsatisfactory conditions, many under distressing conditions, some under disgraceful conditions. For thousands home is a mockery. It consists of two or three small rooms of which but one is adequately lighted—and often, even not that one—and none of which is adequately ventilated; rooms that in the hot summer days and nights become an Inferno of torture to little children, the sick and the weak.

For the persons living in these houses there is little privacy; there are no reticences; they must share the processes of living with other families; they must use a common water closet; they must get all the water they use from a common faucet in the public hall; the fire peril menaces them at all times—at any hour of the day or night they may be called upon to leave all and flee for their lives.

This is the state of two million people, over a third of the city's population, viz., those who live in the so-called "old law" tenements or those erected before the tenement house law of 1901 worked its beneficent changes.

Half of the city's six million people, it is true, have the benefit of living in the "new law" tenements, viz., those built under the law enacted in 1901, and may be said to enjoy rooms that are moderately well lighted and ventilated and have proper sanitation, such modern conveniences as running water, bath tubs and modern plumbing, such privacy as can be expected in multiple dwellings, and comparative safety in case of fire, with at least a fair chance for escape in that event.

But great as the advance is in the conditions under which these three million people live, as contrasted with the less fortunate two million who live in the older buildings, the homes of all the people in this city are still far from what the homes of the people should be in a great city like New York.

#### INADEQUACIES OF PRESENT HOUSING

There is neither adequate light nor sufficient ventilation in most dwellings. Back yards and courts which furnish all the light and air that many rooms receive are still much too small—too narrow to admit sufficient light or a free sweep of air. Such open spaces, sufficient in size for buildings of low height, cease to be so when buildings are erected to a great height.

Buildings are much too high. Such buildings shut off light and air not only from their occupants but destroy neighborhood amenities. One tall building in New York at noon casts a shadow one-sixth of a mile in extent. The number of high buildings is steadily increasing. The tendency is to build higher and higher.

No laws thus far enacted restricting the height to which buildings may be erected have dealt adequately with the situation. Apartment houses housing many people are now being erected to heights of 15 and more stories. Were a serious fire to break out in such buildings, under certain circumstances, the fire department would be helpless to stop its progress, and there might be a great calamity.

With high buildings increasing in number, existing public open spaces have become inadequate, hemmed in as they are by cañon walls.

The city is becoming a sunless city. Few rooms now receive the direct rays of the sun, and many never receive them at any hour of the day or at any season of the year.

The population through intensive occupancy of the land is becoming much too densely housed.

The concentration of population that is found in many parts of the city is unparalleled. Nowhere else in the civilized world can similar conditions of overcrowding be found—or even conditions remotely approaching them.

England has adopted as her standard for post-war Housing a maximum of 12 families to the acre—in extreme cases in her crowded cities, sometimes as many as 16 families or 80 persons to the acre are permitted. Contrast this with New York. Here, instances can be found of people living 1,000, 2,000—and in some cases 3,000 and 4,000—persons to the acre.

This trend towards increased congestion of population, due to over-use of the land, and excessive height of buildings has been steadily increasing in recent years. Thus far no direct attempts have been made to stop it. Although many other cities in this country are now regulating and controlling this evil through zoning laws which limit the number of people that may live on a given area of land, New York has not kept pace with them; her laws are silent on the subject.

#### EVERY TYPE OF HOME FOUND HERE

The type of home in which the people of New York live cannot be reduced to any formula. For, all the types of dwellings found in all the cities of America will be found here—from the single-family, one-story detached dwelling to the giant apartment house occupying an entire city block and housing many families.

#### NEW YORK AN APARTMENT CITY

New York is a city of multiple dwellings—not a city of small houses. In this respect it is unique among American cities—the only city approaching it in this regard being Chicago. All other American cities are cities where the small house predominates and the multiple dwelling is the exception rather than the rule.

Originally, New York was also a city of small houses, but that was nearly a century ago.

#### PRESENT TENDENCIES

Manhattan for 50 years has been a city of multiple dwellings. Today, it is almost exclusively so. A new private dwelling in Manhattan is as much an object of curiosity as a horse-drawn vehicle in its streets; only 5 new private dwellings were erected there last year.

The Bronx, which has developed by leaps and bounds, was until a few years ago largely a city of private homes. Today, it is predominantly a city of tenements and apartment houses.

Brooklyn, famous as a “city of homes,” is still in greater part a city of small houses, but it is rapidly losing that characteristic and like its neighboring Borough, Manhattan, is becoming a city of tenements and apartment houses.

Queens, that young giant in Father Knickerbocker's family, is still largely a small-house district, but the "tenement blight" is beginning to show itself in many parts of that territory, as it is even in rural and suburban Richmond.

Why New York alone, of American cities, should have developed as a city of multiple dwellings no one has ever discovered.

Why two neighboring cities, both great cities, like New York and Philadelphia, within two hours of each other, settled at about the same time, should have developed in such totally different fashion—Philadelphia as a city of two-story small private houses like London, New York as a city of tall tenements and apartments, like Paris—is one of the mysteries of Housing. Many explanations have been advanced for the phenomenon, but none that is convincing.

That the "tenement blight," when once it got a foothold in New York, should have spread and infected the whole city, driving out the small home, is quite understandable. There is a sort of "Gresham's Law" in Housing as in Economics—"The baser metal drives the better out."

This tendency is to be noted in all the Boroughs. Radiating from the centre, the "tenement blight" is spreading through all parts of the city.

Nor is it stopping at the city's boundaries. It is pushing out far beyond these, and the suburbs are rapidly becoming "Manhattanized."

#### A HOUSING PROGRAMME SUGGESTED

It is imperative that the city should adopt a Housing Policy.

We offer the following suggestions as to what the city's programme should be:

##### LIGHT AND AIR

The city should ensure an adequate amount of light and air to all dwellings of every character erected in the future. This can be best achieved through regulatory laws. It has been amply demonstrated by the operation of the tenement house law that this can be done. When that law was enacted 25 years ago and it was proposed to change the size of the air-shaft from a minimum of 28 inches to a minimum of 25 feet, it was at once stated that this could not be done, that so great a change might seriously affect real estate values and that stagnation in the building industry would result.

All such fears, however, have proved quite groundless, for in that 25-year period over one billion nine hundred and eighty-two millions of dollars (\$1,982,000,000) worth of tenements have been built under the operation of such a regulatory statute and the thing which the building interests said could not be done has been done.

##### ADEQUATE LIGHT SHOULD BE PROVIDED

This can be accomplished through the requirement of larger courts and larger yards than are required at present.

What New York should really do if it wishes to approach the standards which prevail in England, or in fact the neighboring city of Philadelphia, would be to require that no dwelling erected in future shall exceed two rooms in depth. While this may seem to some a counsel of perfection, it is what should be done.

It has already been demonstrated in a number of examples in Manhattan in various classes of model tenements that this method of construction is entirely feasible and profitable, at least when a whole block is taken as a unit. Under such a method of construction, there would be no courts, no airshafts, no inadequate lighting or ventilation; for, every room in every dwelling would obtain its light either from the street or from a similar open space at the rear, equivalent to the street in width and area. Through such a method of design of buildings, adequate "through" ventilation could also be secured. Practically all of the problems which now vex the city with regard to light and ventilation would be remedied by this one measure.

While it may easily be that the time has not yet come when New York is ready to take this step, we believe that it should be taken and taken now. It must come ultimately or the whole city will become unlivable.

#### THE QUALITY OF LIGHT—THE ULTRA-VIOLET RAYS

Heretofore, all consideration with regard to providing adequate light in the homes of the people of New York has naturally addressed itself to attempting to secure a sufficient *quantity* of light. No consideration has been given to the quality of the light secured. This has been due to the fact that our knowledge of the subject of the qualities of light has been slight until recently.

With the astounding discoveries that have been made in recent years as to the beneficial effects of the so-called ultra-violet rays of the sun, and the knowledge that ordinary window glass shuts out these beneficent rays from people's homes, the whole subject of light has become revolutionized. As one writer puts it, a ray of light travels 93 million miles to reach us from the sun. Then when it comes here we deliberately throw away and exclude its most valuable qualities. It seems a rather foolish proceeding.

Were the producers of milk to attempt to skim off the health-giving qualities of that product and sell the residue to the consumers in this state, the legislature would rightly enact laws prohibiting such a practice; in fact, they have enacted such laws and do prohibit this practice. We think the time has come when the legislature should similarly prohibit the practice of skimming off the beneficial qualities of the rays of light and stop builders from erecting houses in which these beneficial rays are excluded from the places in which people live.

#### THE EVIL OF HIGH BUILDINGS SHOULD BE EFFECTIVELY GRAPPLED WITH

As we have pointed out, none of the measures seeking to control high buildings thus far taken have proved effective. The problems resulting from high buildings, in traffic congestion, in lack of light and ventilation, in congestion of population, in concentration of values in a few limited spots, with its consequent disadvantageous effect upon real estate values elsewhere, are all so well known that we need not enlarge upon them here. All measures heretofore adopted to deal with this problem have been a compromise. We believe that the time has now come when the city should insist upon the adoption of a *principle*, and control high buildings according to that principle—and, as they should be controlled, if the people of the city are to be protected from the further development of these serious evils. It will be found that when this is once done, no one will suffer but that on the contrary both property values and the people of the city will be greatly benefited.

## HEIGHT NOT TO EXCEED WIDTH OF STREET

We suggest one simple formula by which this can be done. This is certainly feasible outside of those limited areas in Manhattan where high buildings now flourish. That formula is this; that no building shall be erected to a height greater than the width of the street or other open space abutting it on every side. This would mean that on the ordinary New York street, 60 feet in width, the height of the building would be limited to 60 feet or 6 stories. It would also mean that at the rear of that building there would have to be an open space of the same size, viz.: 60 feet between it and the building at its rear. This would mean generally a 30-foot back yard in back of each building to its own rear lot line, which would give a 60-foot space between buildings. Any courts that were provided for a building would have to be similarly as wide in each dimension as the height of the building where it abutted that court. In the case of a 60-foot building the court would have to be 60 feet in each dimension.

This would not prevent the use of setbacks, towers and terraces, which have proved so picturesque an embellishment of the city; for, setbacks would be possible under such a scheme. If it was desired, for instance, on this 60-foot street to go higher than 60 feet with the front wall of the building, this would be possible by setting back in the form of a tower, but the height of that tower could not exceed the amount that it would set back from both the front wall and the rear wall of the building. Thus, for instance, on the building in question, if it were wished to add 2 additional stories and extend its height by a tower 20 feet high, it would be entirely possible to do this, by setting the tower back 20 feet from the front and the rear walls of the building, giving a tower 30 feet in depth which would be susceptible of use. On streets 100 feet wide, buildings of greater height would be possible. There 10-story buildings could be erected.

It may be objected that such a scheme may be all right from the point of view of the welfare of the people but that it is not expedient and that it may adversely affect present real estate values. We are not concerned with questions of expediency, that is not our function. We are concerned with suggesting remedies for present evils which cry out for relief.

## SUCH STANDARDS EXIST ELSEWHERE

There is a very distinct ratio between the height of a building and the open space which abuts it. This is the only principle that should have consideration. Upon no other basis can adequate light and ventilation be secured. If we do not wish to repeat in various sections of the greater city the serious conditions of traffic congestion which now exist in the midtown section of Manhattan, it will be found necessary to adopt this course of action.

This standard which we have proposed of restricting the height of a building to the open space which abuts it, and, which will undoubtedly seem a drastic requirement to those men who are engaged in squeezing the last penny out of the land and occupying it in the most concentrated fashion permissible, is, on the contrary, lower than the standards which govern in many countries and which should govern if proper principles are to be adhered to.

As a result of a series of practical tests made a few years ago, it appears that, if even a modicum of sunlight is to be obtained in a ground floor room, in mid-winter in New York, the minimum distance between buildings five stories in height must be as much as 82 feet—which is 64 per cent more than what is proposed here.

Even in tropical countries, where the popular belief is that streets are made narrow in order to shut out the sun, it is found that the sunlight is so beneficial and such a powerful agent in the eradication of disease that the laws in the city of São Paulo, Brazil, for example—a city of over 500,000 inhabitants—prohibit anyone from building a wall which prevents the rays of the sun from reaching the base of any other wall for at least a minimum of two hours a day throughout the year. This means that in no new buildings can there be a well or court so deep that the sun's rays do not reach to the bottom of it for at least two hours a day. It means, further, that every building has to be so far away from its neighbor that for at least two hours a day it casts no shadow on any part of the wall of a neighboring building.

These are the standards which should prevail if proper principles of light are to be observed. They assume also a clear atmosphere such as New York enjoyed a few years ago—and which it no longer enjoys. With the increase of the smoke nuisance in New York City, these standards will need to be increased; and, unless the smoke evil is grappled with, much larger open spaces will have to be left between buildings in order to secure adequate light and ventilation.

#### WE MAY COME TO A LAW OF ANCIENT LIGHTS

Failing to adopt this practical remedy of limiting the height of future buildings to the width of the street and similar open spaces abutting them, we shall undoubtedly be forced to come to the remedy which prevails in England—and which has prevailed there from time immemorial—by which no man is permitted to shut out the light of his neighbor, under what is known as the “Law of Ancient Lights.” There, no man is allowed to erect a building which will interfere with the inherent right that his neighbor possesses, to have his share of God’s free sunlight; and, if a man does erect such a building, he not only has to pay punitive damages, but very often is compelled to take the building down. The result is that the skyscraper is unknown in England. And yet, the great world-city of London, larger even than New York in population, manages to prosper and thrive without it as do all the cities of Europe.

#### NOT TOO LATE TO SAVE MOST OF THE CITY

While it may be too late to enact such requirements and give them application to those limited parts of the city which are now suffering from the “skyscraper blight,” notably lower Manhattan along Broadway and the financial district, and midtown Manhattan, it is still possible to save the rest of the city and to protect other parts of the city through the enactment of such laws.

Discrimination of this kind is entirely feasible. The zoning laws have pointed the way for such discrimination and the courts have uniformly upheld this principle. We recommend, therefore, the enactment of a law that will restrict the height of all future dwellings to the width of the street and other open spaces that abut it; with the

further recommendation that, if it is not deemed expedient to do this for all parts of the city, that the city be zoned in such practical fashion that this principle can be carried out through the major part of its territory.

It is not too late to save the rest of the city from the serious evils which now prevail in limited parts of Manhattan.

#### THE TENEMENT HOUSE BLIGHT

In order that all of the city shall not be a city of multiple dwellings, and that those districts which are now devoted to private residences shall be saved, we recommend that the zoning laws be so modified that districts be established under them in which the character of dwellings will be limited strictly to private dwellings, as is the case now in most zoning laws in many American cities. In such districts all multiple dwellings will be prohibited.

In addition to making new "private dwelling districts," those districts which are now predominately occupied by private dwellings should be, similarly, made "private dwelling districts," and should be saved from the invasion of apartment houses, which always ruin and destroy a private dwelling district and drive the people out. There are still many parts of the city where it is not too late to rescue such territory from a future apartment house invasion.

#### FIRE SAFETY

With the developments that have come in recent years in new methods of fire-safe construction and the change in the ratio between the cost of so-called "ordinary construction" in which wood is used, and that of a "fire-resistive" building, popularly known as a "fire-proof" building—there being comparatively slight difference in cost between the two methods—we believe that the time has now come, when the city of New York should prohibit the erection in future in any part of the city, of any dwelling that is not "fire-resistive," as that term is understood by the Fire Underwriters and the public authorities.

#### BLOCK UNITS AND LOT UNITS

One reason for the present conditions which exist in New York has been the unsuitability of the ordinary property subdivision, the ordinary 25 by 100 foot lot—and even 20 by 100 feet—to serve the purpose for which it was intended, viz., the erection of a building. No progressive city in the country is today using such inadequate standards; most of the city planning laws throughout the country require, where new property is subdivided, that the lots be not less than 50 feet wide, and often wider.

While we shall not attempt to suggest any definite standard, we would recommend that in those portions of the city where streets are not already established and laid out, this subject should be carefully restudied in the light of present-day practice in city planning and that new lot units, and consequently new block units, should be devised.

## THE TENEMENT HOUSE DEPARTMENT

The city should see that adequate support is given the Tenement House Department for carrying out the responsibilities with which it is charged under existing law. If housing conditions in this city are to be improved and are to continue to be improved, it is necessary that this mechanism or some similar mechanism should be adequately equipped and staffed. Until recently, the appropriation for this important body has been grossly inadequate to the needs of the city. As a result, housing conditions have slipped back, in many respects, to the conditions which existed 25 years ago. This should not happen. An administration that is really concerned with the welfare of the tenement dwellers should see to it that this arm of the Administration is fully equipped to do its work.

Nor should its support stop there. The Department should be expanded to do all those things which were contemplated when it was created but which it has never had an opportunity to do. For one thing, it should be so staffed that it could make the monthly sanitary inspections of all existing tenement houses now required by law. This it has never done in the whole 25 years of its existence, for it has never had sufficient staff to do this. By this means, and only by this means, can proper conditions be maintained at all times in the tenements of the city.

For a long time it has been the view of thoughtful students of this subject that this department should be a Housing Department of the city government, and not merely concern itself with tenement houses or multiple dwellings, but should extend its supervision and control to all buildings in which human beings live.

There is, of course, no reason why the laws which control tenement houses and similar multiple dwellings in many of their provisions should not apply to every class of dwelling, for just as much light and air is needed by people living in a single-family house as by people living in a 20-family house. There should be no distinction.

The people of this city can never be said to be well housed, so long as thousands and hundreds of thousands of them are left without the legal protection which for 60 years has been found necessary for those who live in multiple dwellings.

## SLUM CLEARANCE

The one phase of housing that has had the least attention in this city and the one that is perhaps most urgently needed is that of slum clearance. It is evident that the present Administration is extremely desirous of grappling with this problem. Nothing is more needed or more desirable if the city can afford it.

Before doing anything, the location and the extent of the areas it is desired to clear should be determined. These will be found not limited to the East Side nor even to the Borough of Manhattan.

## THE CITY'S AIM

The city should adopt a definite policy and should determine the primary purpose of its efforts in this regard, viz., what it is trying to accomplish by slum clearance.

- (a) Whether it is seeking to provide new and better housing than now exists;
- (b) Whether it is seeking to provide cheap housing for those unable to afford good housing; or
- (c) Whether it is seeking to get rid of vast stretches of insanitary, unsightly and "archaic" buildings, which have long been discreditable to the city.

Without this definite aim it will be found that any attempt to carry out slum clearance schemes will be fraught not only with difficulty, but with hazard.

Whatever policy is adopted will have to be so conceived as to reduce the cost to a minimum. Otherwise, such progress will be prohibitive and the scheme will break down of its own weight.

Some method must be found, therefore, by which a portion of the areas cleared of old buildings can be made so remunerative to the city as to pay a substantial part of the cost of the scheme.

Whatever is done should be closely related to a comprehensive city plan. This is essential and the decision as to the purpose in view must be clearly determined before any comprehensive scheme can be carried out.

In some cases the cleared areas can be best devoted to permanent open spaces—to small parks and playgrounds; in others, to public buildings. In others, such cleared spaces may be best utilized for increased traffic facilities, for new streets and street widening.

#### A METHOD OF GETTING MUCH-NEEDED PARKS

We commend to the consideration of the Administration a plan for combining small parks and recreation grounds with improved housing, first suggested, so far as we are aware, by the New York architect, I. N. PHELPS STOKES, to the Tenement House Commission in 1900, and described in the Report of that body.

This plan contemplates the City's clearing the site of one entire block after another, extending perhaps for a mile or so, razing the sites completely of buildings and then selling off, or leasing on long leases, but preferably selling off, outer strips of land along the outside boundaries of each of these blocks—such strips of land being about 30 feet in depth, thus sufficient to contain on them model tenements, two rooms deep, occupying the entire land. The city would thus sell off about one-third of the land which it would acquire and could sell this off at so advantageous a price that it would practically recoup itself—or nearly so—for the cost of the great public improvement that would result. Thus, there would be an extended stretch of territory lined on either side with new, high-grade five-story or six-story model tenements, and, between these two rows of model tenements, extending for the full length of the improvement, would be a series of small parks or recreation grounds, developed and maintained by the city.

#### AN ORDERLY PROCEDURE DESIRABLE

One thing is certain. If slum clearance is to be carried out, it should be in orderly and intelligent fashion. It cannot be done as an incident to street improvement, as now contemplated. The practical

and legal obstacles are too great, though Excess Condemnation powers can be utilized.

Areas should be cleared only after a "finding" by the duly constituted authorities that either (a) the area is an "insanitary area," or (b) that the public interests require its demolition.

A special "authority" should be constituted for this purpose, if slum clearance is to be done on a large scale. The Board of Estimate should not be burdened with its details, but it should give ultimate approval to any scheme before it is adopted.

Maps should be prepared showing the property to be taken, and property owners affected as well as other citizens should be given their day in court with opportunity to object and to state their views.

Some method of compensation on a more equitable basis to the city than the ordinary condemnation proceeding should be worked out, though New York would probably not consider it equitable to the property owner to limit this, as in England, to the site value, or value of the land alone, and pay nothing for the buildings on such sites. No consequential damages should ever be paid.

The special "authority" should also determine whether to sell off, or lease, part of the land acquired, to be used for new housing and on what terms. It would also determine to what extent the cost of the scheme should be borne, in part, by assessment for benefit on property benefited, and the extent of the area of benefit.

Specific powers should be obtained from the legislature to enable the city to undertake slum clearance schemes. Such legislation should set forth in detail the methods to be employed, should constitute or set up the special "authority" to carry out the work, should prescribe the methods of acquiring property and of making compensation for it, the conditions under which parts of such property might be sold or leased for housing or other purposes; and, for the specific purposes of slum clearance, should supersede all existing provisions of law.

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If the policies and programme suggested in this Report are carried out, we believe that New York city in time will have housing conditions that are worthy of a city of her greatness.

## AN ATTEMPT THAT FAILED

### A NEW TENEMENT HOUSE LAW PROPOSED FOR NEW YORK

Over 25 years having elapsed since the tenement house law was enacted in New York state bringing with it a practical revolution in housing conditions, some bold adventurous spirits have wondered whether the time was not now ripe for another similar great step in advance.

Taking advantage of the opportunity presented in the fact that the legislature had appointed a Commission composed of members of its own body, diluted with a few citizens appointed by the Governor,

to consider whether the tenement house law was sufficiently up to date or not, these earnest and valiant souls attempted at the session of the New York legislature which recently came to an end to completely re-write and re-state the existing tenement house law.

It almost seems unnecessary to state that this effort met with failure. One is vividly reminded of that delightful situation in Wagner's opera, "Die Meistersinger", when the young hero, Walther seeking to obtain the hand of the lady of his heart, which can only be done by one who wins the prize as a Meistersinger, says: "Certainly I will be a Meistersinger. How does one become such?"

It would almost seem as if these advocates of a new tenement house law had similarly said to themselves, "A new tenement house law. Of course let us have one." But they know now that it is not to be achieved in quite so easy a fashion.

It is to be regretted that this well-meant effort should have come to grief so manifestly, but it is not surprising to the disinterested observer.

In the first place, experience should have pointed out to these enthusiastic reformers that almost never does a great statute, large in bulk and embodying a complete re-statement of existing law commend itself to the legislators. This has been the history of all effort at Charter Reform. When those seeking improvement in the Charter of New York City, for example, or Chicago or other great cities have said, "We will do a thorough job of it. We will completely re-state the Charter", their recommendations have never been adopted. Such mass cleaning of the slate seldom is effective. Advances in legislative practice and reforms seldom come that way. They come a step at a time.

It was also rather disingenuous to expect that a legislature which had appointed a Commission to revise the tenement house law downward, at the instance of the real estate interests, would accept recommendations for a radical revision of the law upward, in a way most distasteful to those interests.

All of these elements were quite visible to the disinterested observer, and it is to be regretted that those responsible for the effort to secure a further advance in tenement house legislation should not have been aware of so obvious a situation.

Moreover, if the framers of the proposed new Dwellings Law had deliberately set themselves to concoct a measure which would embody within its provisions all the elements that would cause the opposition of every important interest in the city of New York, they could not have devised a better scheme.

It almost seems—though we very frankly disavow any suggestion that there was any such purpose in the minds of the proponents of this scheme—it almost seems as if they literally sought to find every form of opposition that could possibly be imagined, and then have prepared a measure which would give offense to each one of these various interests.

Not a single one was neglected. Every interest was antagonized—the builders of new tenements, the financial institutions loaning money on new operations, the architects, the real estate interests, the owners of old tenements, the owners of private dwellings, the persons operating private dwellings, the owners and managers of apartment hotels, the various building material interests. Practically no one was left out.

Under these conditions, it is not surprising that the proposed Dwellings Bill a document of 168 pages, completely re-stating the existing tenement house law, scrapping all of the work of the past 25 years—met with immediate and unqualified opposition the minute its provisions were made public, in fact before the bill was officially reported to the legislature.

Even Governor Smith, who had been responsible for the appointment of the citizen members on the Commission, showed no wild enthusiasm for the measure. He made no “appeals to the People” on it. He sent no frantic messages to the legislature urging its passage.

Notwithstanding the attempt made by the sponsors of the bill to make concessions to the various opposing interests, in the hope of withdrawing their opposition and securing their support, and notwithstanding a city-wide campaign made by disinterested and public-spirited citizens who believed that the bill would have the effects that its sponsors claimed, the measure was practically still-born and never had a chance of passage from the first moment that it was proposed.

The mere bulk of the bill, alone, would have been sufficient to account for its defeat in the legislature. Except where such measures are passed as Party measures, or are jammed through under the directions of a legislative “boss”, they seldom succeed; for, the individual member of the legislature is suspicious of a bill of such size and is unwilling to take it on faith. The more conscientious he is, the less willing he is to vote for a bill of 168 pages dealing with a highly technical subject and the contents of which he cannot possibly master in the time at his disposal even though such measures come to him with the recommendations of a Committee of the legislature itself. Individual members of the legislature, as a rule, do not care to have it “handed to them on a platter”.

The effort which just failed is to be renewed at the next session of the legislature. In the meantime the Commission appointed by the legislature is continued for another year with an additional appropriation of \$20,000, with the further interesting and somewhat novel scheme of having 3 additional members added to the Commission quite frankly to represent the real estate and building interests.

The outcome of this new effort will be watched with keen interest.

### THE APARTMENT HOTEL ISSUE\*

In the meanwhile the difficult apartment hotel issue which this Legislative Commission was appointed primarily to solve remains unsolved. The Legislative Commission quite surprisingly "side-stepped" the whole issue, on the ground that the matter was in the courts and that the courts had definitely decided the issue in question, simply because a single judge in one of the lower courts had made a certain ruling in a given case. The Commission, we are frank to confess, in its attitude on this question took a position that did not inspire public confidence.

Since then, as must have been quite obvious to the members of the Commission themselves, the appellate courts have overruled the decision in question and the litigation is now going through the courts. It is taking that leisurely pace which we predicted it would take, and we prophecy that the attention of the courts will be engaged with this question for many years to come.

We are not so simple as to believe that the financial interests which have vast sums invested in these illegal "apartment house hotels" will give up the fight easily.

### HOUSING A POLITICAL ISSUE IN NEW YORK

The New York housing situation continues to be one of much talk and little progress. Since we last discussed this subject\*\* there has been a comparative lull in the discussion of the various measures that up to that time had been actively touted as schemes for the reclamation of the New York Slums.

Two years have now elapsed since the enactment of the State Housing Law in New York, loudly hailed as Governor Smith's panacea for

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\* See "*Housing Betterment*", May, 1927, pp. 69-81; December, 1927, pp. 310-315.

\*\* See "*Housing Betterment*", December, 1927, pp. 257-276.

all the housing evils which the State suffers from, and advertised far and wide as marking the end of New York's Slums.

Discussing the situation as it existed a year ago\* we said:

So far as the average citizen can see we are no nearer that accomplishment than we were a year ago. The slums are still with us. There has been no outward or visible change in their appearance or in their extent—in fact, new slums have been manufactured in the period that has elapsed and are still being manufactured. While it would be perhaps an inaccurate figure of speech to say that Governor Smith's housing plans have "gone on the rocks," to continue the nautical simile, it is not inappropriate perhaps to describe the present state of that venture as being "in the doldrums."

If talk, or printers' ink, or much banqueting would solve the housing problem and raze New York's slums, the problem would have been solved ere this; for there has been much of all these commodities expended in the period that has elapsed since Governor Smith was announced as the saviour of the slum dwellers of New York City a year ago.

There has been a mountain of talk and a mouse of results. The present situation does not augur well for the success of the scheme. If it takes a year to get started—and a year has already elapsed and the scheme has not started yet—one wonders how it is going to function if it ever does get started.

Now, a year later, the same statement applies with equal force. Though two years have elapsed, nothing has been done so far as advancing the cause of housing is concerned, neither under the so-called Governor Smith's State Housing Law nor under the Mayor Walker-Heckscher scheme.

It is true that while there has been no performance, there has been less promise than a year ago. The papers have no longer been filled with columns of talk of the grandiose plans which were to be carried out. For this we suppose we should be duly thankful!

The Mayor Walker-Heckscher plan seems to be at least one stage nearer accomplishment. For, recently, public hearings have been held by the New York City Board of Estimate and Apportionment with regard to the proposal to take certain blocks on the East Side in connection with this scheme.

When we last discussed this project\*\* it was proposed to build these so-called model tenements fronting on the greatly widened Allen Street, which up to recently had been a dank, dismal, narrow thoroughfare with the street almost completely occupied by a noisy elevated railroad.

We pointed out at that time that an attempt to use the power of Excess Condemnation in connection with the Allen Street widening,

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\* See "*Housing Betterment*", May, 1927, pp. 1-28.

\*\* "*Housing Betterment*", December, 1927, pp. 257-276.

taking more land than was needed for the purpose and building model tenements on it, as an after-thought nearly a year after the other project had been officially ratified—and in fact after the physical work was well under way—would probably meet with a challenge in the courts, and that the courts would probably hold that this was not a proper exercise of the powers of Excess Condemnation vested in the city.

#### THE SCENE SHIFTED

We are not informed whether Mayor Walker and his advisers have been influenced by these considerations, but recent public hearings indicate that the site for the proposed model tenements has been shifted from Allen Street to Chrystie Street, two blocks to the West.

It is now proposed to widen Chrystie and Forsyth Streets, thus affording an extension of Second Avenue, and providing connections with the Manhattan Bridge and lower Manhattan, and at the same time to demolish the old tenements along those streets for a distance of 8 blocks, and erect improved sanitary tenements on the sites thus cleared. These tenements to be erected by companies or individuals leasing the land on long-term leases from the city on such terms as will make it possible to rent the apartments at a rate not to exceed \$10 a room.

#### MAYOR WALKER SERVES NOTICE ON PROPERTY OWNERS

At the time of the first public hearing held on this proposal last April, Mayor Walker served notice on the property owners affected that if there was any attempt on their part to hold up the city for exorbitant prices for the land thus acquired that the whole scheme would be abandoned, including the street-widening scheme as well as the building of new tenements.

At the hearing held on May 10th opposition developed to the scheme on the part of the Alderman of the district on the ground that thousands of his constituents would be evicted and that they would have no place to go while the old buildings were being torn down—a not very convincing argument in view of the well known fact that there are thousands of vacancies in this part of the city at the present time. As a matter of fact, many persons believe that the chief motive power back of the Administration plan for building model tenements is to rehabilitate realty values in this blighted district.

The Alderman hinted at rumors of graft and said that it would cost \$40,000,000 to carry out the plan. All of which promptly drew Mayor Walker's resentment whereupon the Alderman apologized and withdrew his remarks about graft.

Those advocating the scheme on this occasion were represented in the persons of August Heckscher and Sophie Irene Loeb, and in addition Leonard Wallstein, Counsel for the Citizens Union.

#### A REALTOR OBJECTS

That this latest scheme is likely to have hard sledding is indicated by a statement made at the time by a local real estate broker who pointed out that the cost of the project will be prohibitive. This realtor said:

While it is desirable at all times to have wide streets, in this particular section it is wholly unnecessary at this time, as the Bowery is only one block west of Chrystie Street, and four blocks east we have Allen Street, now widened.

The improvements in these seven blocks are, no doubt, the best on the east side, and command the highest rentals. There is one large fire-proof office building, one large modern fireproof hotel (Libby's), two public schools, four new-law tenements, 160 old-law tenements, three garages, seven stores ("taxpayers"), one modern theatre, three loft buildings, two public halls, one synagogue, one settlement house, nine dwellings and nineteen rear tenements.

The stores in Canal and Delancey Streets between Chrystie and Forsyth Streets are all under long leases and paying high rentals, which adds considerably to the condemnation costs. The Chrystie Street properties from Canal to Hester Streets are occupied principally by manufacturing jewelers under long leases and also high rentals, adding additional costs for condemnation. This condition is also true with the clothing trade in Hester Street, between these blocks.

Most of these tenements are of the old-law, or dumb-bell type, five and six stories, commanding good rents and kept in fairly good repair. *There is little or no poverty suffered in this vicinity.*

The cost of acquiring this property is prohibitive and will make it impossible for Mr. Heckscher and his group to carry out their plan to lease the unused property from the city for the erection of modern tenements to rent at \$8 per room. Some social workers will argue that this can be accomplished by obtaining high rentals for stores in these buildings, but do not let us deceive ourselves by this fallacy. Three frontages of 150 feet, namely, Canal, Hester and Delancey Streets, will obtain and maintain good rents but the balance of these stores will go begging.

If our city officials are serious in their desire to rebuild and rehabilitate the lower east side, let them make a start at the East River and work west. This is the section where poverty and filth really exist. In this section property is cheap, as evidenced by the number of foreclosures taking place and advertised in the *Law Journal* each day.

There is no reason why the city could not widen Chrystie Street later, as the property is too valuable for the present type of improvement. When builders in the future decide to improve this property arrangements could be made to set their improvements back ten feet on either side of Chrystie Street.

When the Heckscher plan is carried out further to the east it is safe to assume some of the tenants now in these houses will move into the

more modern ones. Economic conditions will then force the present holders to improve or sell to builders who will.

The plan as advocated is, to say the least, absurd and a useless expense of many millions of dollars of the taxpayers' money.

While these statements may be discounted to some extent in view of their source—conceivably, the real estate interests opposing these plans are actuated by a very natural desire to protect their own interests—it is obvious that the project confronts many difficulties. Up to the present there has been no indication that it will be attacked in the courts, but it is perhaps premature to look for that kind of indication.

Whether the city will find the cost of these improvements prohibitive, or whether it will "spend money like a drunken sailor" and charge it up as a necessary accompaniment of "much needed" street-widening remains to be seen.

#### AN UNOFFICIAL SURVEY OF THE DISTRICT

A survey of conditions in the district affected was made public in the *Evening World* by Sophie Irene Loeb at the time of the hearing before the Board of Estimate and Apportionment. According to Miss Loeb, this survey disclosed the fact that a large percentage of the property in this neighborhood cannot be sold even at its assessed valuation. Miss Loeb also finds that current vacancies in the neighborhood in question vary between 10 and 15% and gives the current rentals per room as follows:

- (a) 6-story steam heated apartments with hot water and bath \$13 to \$15 per room for 3 to 5-room suites;
- (b) 6-story apartments with hot water and bath, no heat, \$8 to \$11 a room for 2 to 5-room suites;
- (c) 6-story apartments with hot water, no heat, no bath, \$6 to \$8 a room for 2 to 4-room suites; and finally
- (d) cold water flats at \$3 to \$6 per room per month.

Miss Loeb adds that these rentals are those that generally obtain in this vicinity and says that the apartments are all of the new-law type (except class d).

She further points out that the population of this section of the city has so decreased that 6 school buildings are reported to be practically empty and have been kept going only in the hope that these contemplated improvements would necessitate preserving them.

#### MISS LOEB SPEAKS FOR THE CITY

Miss Loeb apparently seems to be either in the confidence of the Administration to an unusual degree, or perhaps is the person respon-

sible for the development of the scheme. We rather imagine the latter to be the case. In her article in the *Evening World* of May 3rd in describing the results of the survey made by her paper as to conditions on the East Side she ventures into the realm of prophecy and outlines the conditions under which the scheme is to be carried out. She says:

The city under the lease which it will make with the builders will receive as a direct charge a return estimated at 4 per cent., which is sufficient to cover the cost of the land. The amount set up for amortization of buildings (completed in 31 years) can thereafter be applied to liquidation of the cost of the land, which would thus be paid off during approximately 26 years thereafter.

Thus both buildings and land will be paid for long before the term of the lease expires. Taxes upon land and buildings have not been included in the cost of operation. The land the city owns must naturally be tax free and should also be tax exempt. If tax exemption for the buildings is not deemed advisable there is still sufficient margin to build and rent at \$8 a room per month.

Over the next 31 years, or less, the city can recoup in cash its entire original investment, and there will still be many years left to pay back the builder his investment, to rebuild, or to reduce rents, or to raze the buildings and use the property for other purposes.

#### MR. HECKSCHER ENLARGES HIS VIEWS

Recently Mr. Heckscher has enlarged his views and presented to the public both over the radio and in the columns of the New York press, a new scheme, more grandiose even than his original scheme only with this important difference, that his original scheme called for a subscription of hundreds of millions of dollars by private philanthropists, whereas his present scheme calls for the forced levy of millions of dollars from the taxpayers' pockets.

What Mr. Heckscher now proposes is the condemnation by the city of 38 acres on the lower East Side, a vast territory on which he proposes the erection of tall elevator tenements on a portion of the property and the sale of the surplus land for business purposes.

Mr. Heckscher is now convinced that philanthropy can play no part in solving the problem of slum clearance. He estimates that the cost of these 38 acres through condemnation proceedings by the city is between \$400,000 and \$500,000 an acre, or the vast sum of \$19,000,000, and he presents figures showing the population that can be housed on this land in 11-story and 12-story tenements.

We have no doubt of Mr. Heckscher's benevolent intentions. We also have no doubt that the people of this city will curse—and we mean it literally—any man who builds 12-story tenements in the slums of New York.

## A TAX EXPERT'S POINT OF VIEW

That the policy of tax exemption which has been so strongly stressed both by the advocates of the Walker-Heckscher plan and that of Governor Smith's State Housing Board, is an unsound one, is strikingly pointed out by A. C. Pleydell, Secretary of the New York Tax Reform Association, one of the country's leading experts on taxation, in the 37th Annual Report of the New York Tax Reform Association.

After reviewing the law which permitted tax exemption of new buildings in New York City immediately after the War, in order to stimulate activity in the building trades, Mr. Pleydell calls attention to the next step in tax exemption as embodied in Governor Smith's State Housing Law which permitted the exemption of dwellings erected by limited-dividend companies under certain conditions. He very appropriately says, speaking of the Walker-Heckscher plan:

Now has come another plan to give some people cheap rent at the expense of others.

How this plan would work in practice Mr. Pleydell points out as follows:

The purpose of this, as set forth in a long resolution of the Board, is to enable the city to acquire blocks of old tenements, widening the streets as an excuse for condemnation. Then the land is to be leased at a low rental (expected to be the 4% required for interest on bonds issued for the property), the lessees to put up new, and tax-exempt, buildings and agree to charge rents lower than prevailing rates. The city would lose the present taxes on such land, about  $2\frac{3}{4}\%$ ; would receive no return from any increase in land value; and the favored tenants would escape paying the taxes on dwellings which are paid indirectly by all other tenants as part of their rent. They would also enjoy free of charge the advantages of a better location due to the street widenings.

The advocates of this proposal mean well; they are moved by the plight of poorly paid workers whose rents for unfit dwellings take such a large part of earnings. But their remedy amounts simply to singling out a few persons for a subsidy, which will not decrease—and may, indeed, increase—the burden upon others no better able to bear it; especially if much of such housing is provided. For, those who are given cheap rents can afford to work for less wages than others. And what guarantees will there be that those selected to enjoy these artificially lowered rents will be the ones most in need of such help?

Mr. Pleydell rightly adds:

The idea of replacing old tenements with new buildings at low rents, of course, has a popular appeal; and the advocates of this city housing project picture only the benefits to prospective tenants. When definite plans are brought forward for the leasing of city land for

housing purposes, the effect of discriminations on those who will not occupy the new dwellings should have more attention than has been given so far.

The methods employed in this departure into the realm of Government building and operation of private homes, afford a striking object lesson to the citizens of New York, and furnish an example of the way such schemes should *not* be done.

There has been no *official* action up to the present time. Nor have the public officials taken the people of New York into their confidence. Such statements as have been made, have been made by private individuals like Mr. Heckscher and Miss Loeb. No official statements as to the terms of the lease or the plans under which the scheme is to be carried out have thus far been made by any responsible public official.

It is apparently all being done *in camera*. Important questions of policy are being decided by persons with no official responsibility. The public is being kept in the dark and ultimately a cut and dried scheme will be announced and put through.

All of which is most enlightening as an illustration of Democratic methods of Government!

## PUTTING A NEW FACE ON CHICAGO

### CHICAGO'S NEW HEALTH COMMISSIONER

Chicago has been going through some extraordinary political experiences lately, even to the extent of actually beginning to cope with her crime problem and of trying to get rid of her reputation for lawlessness.

One of the surprises which Chicago received recently was the sudden displacement of Dr. Herman N. Bundesen as Health Commissioner, by Mayor Thompson and the appointment in his place of Dr. Arnold Henry Kegel, unknown in the health field up to that time, but announced as Mayor Thompson's personal physician.

Mayor Thompson's reasons given at the time of this appointment do not augur well for the future health of Chicago. For, he announced as his reason for displacing Dr. Bundesen—whom everybody agreed had been a competent health official and who recently had been honored by his colleagues in the health field by election to the Presidency of the American Public Health Association—by an unknown and untried man, that "he made a new face on me when I was burned several years ago in a gasoline explosion." While it may be said that this puts a new face on the health situation in Chicago, we do not think that, judging from the photographs that come to us in the East of Mayor Thompson's

countenance, that the new Health Commissioner has by this action established a claim to very special consideration by the citizens of Chicago.

Joking apart, it is unfortunate that the Chicago Health Department should be thus subject to such political changes. No great official branch of the Government can be thus at the mercy of the shifting changes of politics without detriment to the welfare of the community.

It is to be hoped that Dr. Kegel "will put a new face" on Chicago. It certainly needs it. Shortly after his appointment Dr. Kegel issued a proclamation to the people of Chicago, as Health custodian of a city of over 3,000,000 people, in which he practically announced his programme and policy.

Dr. Kegel's views with regard to Housing have particular interest for our readers. On this subject, he said:

Housing and health are inseparable. We cannot separate a man from his environment; we are all convinced of the fact that a broken-down house usually means a broken-down tenant. It shall be my effort to try to secure better housing conditions for certain elements of the community. We cannot grow a rose on a dung hill, and we cannot develop healthy citizens in reeking, insanitary tenements.

We wish Dr. Kegel success in his new field of endeavor and assure him that the opportunity which confronts him to put a new face on Chicago, so far as the home conditions of that city are concerned, is the opportunity of a life time.

### AN ENCOURAGING SIGN LOW-COST HOUSES IN PHILADELPHIA

An encouraging sign indicating possibly that new houses will soon be available once more for the actual workingman and not merely for the white collar class and the aristocracy among mechanics is found in the announcement of houses built by a commercial builder in Philadelphia aided and stimulated by the Philadelphia Housing Association, who at the builder's request made a careful study of the desirability of the site proposed and of the kind of house which it was proposed to erect.

The new houses are being erected by Charles B. Maguire, an operative builder of Philadelphia, and are to be sold at \$3990, or in round figures \$4000 complete, which means a net carrying charge of \$22.75 per month.

It is said that these houses, now in course of construction and which are expected to be ready during the present month, are the lowest

priced houses built in Philadelphia since 1920. A sample house for those who may wish to inspect it will be found at 2257 Larue Street, in the Frankford District of Philadelphia. The house is of the usual Philadelphia type in its accommodations and number of rooms, and at the price mentioned carries with it a garage privilege.

## HOW DO THEY LIVE?

### ROOMS PER FAMILY IN DETROIT

An American city is at last to learn how many of its people live under conditions of congestion because of too few rooms. The Detroit Board of Education, in connection with its annual School Census, is now recording for every family in the city the number of rooms it occupies and the number of persons of which it is composed. The ratio between the two figures, or room density, has a demonstrably higher correlation with death rates and with certain communicable disease rates than any other fact obtainable by census methods. European nations have gathered such figures and made good use of them for more than half a century. In this country, we have never had more than sample studies of a few blocks.

One such study, of 42 city blocks, was made by the Detroit Health Department some years ago. So, quite logically it is the Detroit Health Department that is to tabulate and publish the figures which the Board of Education is now collecting. Those who attended the National Housing Conference of 1920 will recall the outstanding address of Dr. Henry F. Vaughan, Commissioner of Health in Detroit, on "Room Overcrowding and Its Effects Upon Health"\*\* and will await with interest his conclusions when he has city-wide data at his disposal.

## A PERMANENT EMERGENCY

### RENT CONTROL IN NEW YORK

What we predicted a year ago\*\* has come to pass. Rent Control in New York, though dying, is dying hard. After seven years' operation of rent control laws, enacted originally to meet a so-called public emergency and extended from year to year as a measure of political expediency, New York's rent control laws have once more been extended for another year.

This is not surprising in itself. So long as rent control remains a political issue members of political parties will find it advantageous to

\* "Housing Problems in America", Vol. VIII, pp. 183-198.

\*\* See "Housing Betterment", May, 1927, page 64.

play up to the interests of a vast constituency represented by the millions of tenants who rent apartments in New York City. The surprising thing—it may be surprising to some, it is not surprising to us—is that in the face of definite facts showing 83,459 vacant apartments in New York's tenement houses, according to the official report of the Tenement House Department of that city, of which 57,000 vacancies are in apartments renting at \$15 a room per month or less, this action should have been taken.

When the legislature turned this question over to a body of its own creation to act as a fact-finding body and to report the true conditions discovered so that the legislature might be guided accordingly, it was hoped that the legislature and the Governor would abide by the facts thus reported, and treat the subject on a basis of facts and not on a basis of political expediency. But that was evidently a counsel of perfection.

When the State Board of Housing reported in its official Report (see Legislative Document No. 85 of 1928) on February 25th last that "the 'public emergency' in the meaning of the law, and on the basis of which the rent laws were sustained by the courts, no longer exists," it was hoped by many that this really would mean the end of this departure from accepted principles of American government and of interference by Government in the realm of private business.

But this was evidently not to be. Members of the legislature, realizing the political elements involved in this issue, especially in a year in which a Presidential campaign impended, determined to disregard the facts reported by the State Board of Housing and its recommendations, and to extend Rent Control to a partial degree, at least, for another year. They expected by passing such a statute to put Governor Smith in an embarrassing position, for the Governor had upon the submission of the Report of his State Housing Board announced that he would stand by their Report and that "he would have to be shown" before he signed any bill extending Rent Control legislation for another year.

What happened, however, was that when the bill actually did get before Governor Smith, in the face of a demonstration both for and against it, he weakly signed the measure. Commenting on his action the *Herald-Tribune* said:

Governor Smith has signed the emergency rent law extension bill in spite of the fact that his Board of Housing officially reported to the legislature that no emergency existed justifying extension. In his memorandum of approval the Governor made an ineffectual effort to clamber out of the deep pit which he had dug for himself when, heedlessly or otherwise, he transmitted the Housing Board's finding to the legislature without reservation or protest.

A veto would have been entirely consistent with the attitude first taken by the state administration. But this is a Presidential year. It is also a gubernatorial year. The Housing Board overlooked entirely the political consequences of its finding. So did the Governor, apparently—at first. But the legislature had an eye on the political calendar. For that, as well as other reasons, it unanimously repudiated the Housing Board's decision that the rent-regulation emergency had passed. When it came to choosing between the Board's position and the legislature's the Governor left the Board in the lurch. He elected for extension, but at the same time he did not challenge the validity of the Board's finding or secure its official reversal. He allows the beneficiaries of the law to get what they can out of the legislature's intervention. But from the point of view of his own theories he leaves it doubtful whether his signature assures the 700,000 persons affected continued possession for another six months or twelve months, or whether it merely hands them a series of anti-ejection lawsuits.

And so the situation is left very much as it was a year ago and as it has been for the past 8 years. A "permanent emergency" continues to exist.

As the *New York Times* said a year ago "In fact, then, if not in name we have Government-control of rents."

While it is true that Government-control of rents exists only in a modified form from that in which it was originally enacted 8 years ago, it still exists. Under the law just signed Government-control of rents will apply only to apartments renting for less than \$15 per room per month and such control will expire on December 1st of the current year. In the case of apartments renting for less than \$10 per room such control will expire a year from this June.

In addition, a law was enacted on the recommendation of the State Housing Board which seems likely to be a permanent Government policy providing that magistrates and judges may grant permission to occupy premises through a period of 6 months before being evicted.

As we have repeatedly pointed out in these columns, the only way in which to end this departure from American principles of Government and this interference by Government in private business, is for the courts to determine that in the absence of an emergency there is no longer justification for supporting legislation of this kind, and that any attempt to control rents by statute is, contrary to our principles of Government, and unconstitutional and void.

## THE RENTAL SITUATION THROUGHOUT THE COUNTRY

The 10th Semi-Annual Survey of Rental and Building Conditions throughout the United States, completed by the National Association of Real Estate Boards at the end of 1927, indicates a downward trend of rentals for all types of dwellings, as compared with similar informa-

tion gathered a year ago. This is in marked contrast to reports for Canada, in which none of the cities covered by the survey showed any downward movement of rents in any type of residential property, all reports from that country indicating that rents were either stationary or higher.

In single-family dwellings the greatest upward movement of rents was reported by cities having a population of 500,000 or over, whereas the greatest downward movement was reported by the smaller cities, viz., those having a population of 200,000 to 500,000.

Three hundred and ten (310) cities were covered by this survey, and the survey was made in the usual manner through local Real Estate Boards.

Rents of single-family dwellings were reported stationary in 66% of the cities, higher in 10% and lower in 24% than a year ago. Rents of 2-family dwellings were reported stationary in 65% of the cities, higher in 8% and lower in 27% than a year ago. Apartment rents were reported stationary in 68% of the 310 cities, higher in 9% and lower in 23%. Rents of kitchenette apartments were reported stationary in 73% of the cities, higher in 9% and lower in 18%.

As to the need of increasing the supply of dwellings of various kinds, 28% of the cities reported a shortage in single-family residences, 48% reported a normal supply, and 24% an over-supply. With regard to apartment buildings, 32% of the cities reported a shortage, 25% an over-supply of such buildings, and 43% a normal supply. It is significant that throughout the country and especially in all the larger cities the survey showed a large surplus of capital seeking investment in real estate mortgage loans.

#### ENGLAND'S REMARKABLE ACHIEVEMENT

That over a million new houses (1,102,387 up to March 31st) have been erected in England and Wales since the Armistice, is a remarkable showing. The respective Governments that have been responsible for this result are greatly to be congratulated upon their effective grappling with the serious housing shortage that existed throughout that country at the close of the War.

While England has been operating under a scheme of Municipal and Government-aided housing with much of its housing provided by the local authorities, it is interesting and significant to learn that out of the total of 1,102,387 new houses erected since 1918, 690,586 houses have been erected by the private builder. Of these it is stated that at least 350,000 are suitable for occupation by the workers, and 378,518 of them have been built without one penny of assistance from the State.

From these figures, it would seem to indicate that private enterprise, when given a chance can be relied upon to function once more. This is, indeed, most encouraging and must be gratifying to the present Government in England as a justification of the policy of the Conservative Party in encouraging private enterprise and wooing it back into the housing field.

With the exception of that brief interval in which the Labor Party held sway, this has been the Government policy since the War—under the Coalition Government when the first steps were taken by the Government in grappling with this problem under the regime of Dr. Addison, as well as under successive Conservative administrations.

From the first the Government has frankly recognized that what it was doing was an interference with the normal processes of the economic life of the country, and that it was an unfortunate and temporary expedient to be departed from as soon as possible; and that the sooner the country could get back to normal conditions, and private enterprise could once more occupy the field, the better it would be for the country. This point of view was very frankly and definitely expressed at the time by the Government through its spokesmen in Parliament, Viscount Astor.

This policy enunciated clearly by the Coalition Government has been even more clearly enunciated in subsequent years by the various Conservative Governments that have succeeded it. They have sounded as a dominant note the return of private enterprise to the housing field. The results recently announced must therefore be extremely gratifying to the present Government and to the Conservative Party.

No more remarkable than this vast total of houses erected during this period has been the very large number erected during the year 1927—over 200,000 dwellings having been completed during that period.

For those students of the housing question in America who may have been led to believe that England was embarked upon a permanent and somewhat Socialistic policy of Government-housing, it will be enlightening to read the clear-cut statement of England's policy, as expressed by the present Government official responsible for that policy, the Minister of Health, Mr. Neville Chamberlain.

In an introduction to Colonel F. E. Fremantle's book "The Housing of the Nation"\*\*—an admirable discussion of the whole housing question in England, by the way—Mr. Chamberlain sums up the situation and its difficulties so clearly and expresses the Government policy so plainly, that we quote it in full.

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\* See page 141.

## THE GOVERNMENT'S POLICY ENUNCIATED

The housing problem, which has so long troubled the national conscience, has now reached a stage when a review of its history, progress and future is opportune. \* \* \*

In contemplating the situation with which we had to deal after the war, it should be remembered that our difficulties, perplexing and almost overwhelming as they appeared, were not entirely or chiefly of our own making ; they have largely come down to us as an evil legacy from days when sanitary science was in its infancy, when industry was multiplying its activities at a pace which far out-ran the methods of control in vogue at that time, and when standards of living were much below those to which we have become accustomed to-day. To this inheritance of houses which have outlived their generation has been added the drying-up of the building industry under the paralysing influence of the Great War. It is no wonder that the results have been such as to appal the nation, which sees the highest form of civilisation degraded and shamed by conditions compared with which those of the savage in his grass hut, surrounded by the forest or the open plain, seem infinitely preferable.

## THE SHORTAGE CAUGHT UP WITH

So far as new building is concerned, we can fairly congratulate ourselves upon the progress that has been made. Private enterprise has been re-established, and the output of houses is now far greater than ever before. In fact, it may safely be said to exceed the normal annual needs of the country by 100 per cent. Without undue optimism, therefore, we can anticipate that, within no very protracted period of time, the overcrowding, which has been the most serious feature of the situation, will have been overcome. Colonel Fremantle has followed other investigators in attempting to estimate the needs of the future. With all respect to him, I venture to doubt whether these calculations are of much value. The needs of the population are not to be measured merely by numbers. Other factors, economic, local, social, traditional, come in, and any estimates which do not take account of these are apt to be upset with disconcerting abruptness.

I think, then, that it is rash to commit ourselves to the view that any particular number of houses is yet required to overcome the accumulated shortage. I prefer, in this instance, to adhere to the dictum of Carlyle: "Our grand business is not to see what lies dimly at a distance, but to do what lies clearly at hand." For, when overcrowding has ceased to exist, except as a local and temporary phenomenon, there will still remain the problem of the slums, and the housing of the people in our great towns.

## THE IMPORTANCE OF MANAGEMENT

This is the last and perhaps the greatest housing task before us. It cannot be too often, or too emphatically, stated that the housing of the people is not merely a building problem. It is my deliberate opinion that much of the trouble which in the past has led to carelessness and destructiveness on the part of slum tenants, followed by deterioration of property and the lowering of the general standards of the neighbourhood, has been due to faulty management. The management of small-

house property is a task requiring tact and sympathy, as well as technical knowledge. It is admirably performed by trained women, and I am convinced that in this direction there is room for an interesting and valuable extension of the sphere of women's usefulness.

I have before now expressed the view that one of the most serious obstacles to the application of proper methods of management to small-house property, on a scale large enough to give full scope to its benefits, is the fact that the ownership of such property in the dark places of our large towns is generally divided up to a bewildering extent. On the other hand, I should contemplate the management of great areas of this kind by the local authority with considerable misgiving. It may be that a solution of the difficulties may be found in some middle course, but at the moment it is sufficient for my purpose to point out that for an indefinite period we must anticipate that a very large population must continue to live near their work in the industrial centres, and that whether they are housed in cottages or in flats, management must still be the root of the matter as a social problem.

#### GARDEN CITIES AND REGIONAL PLANNING

I am glad to note that Colonel Fremantle has given a good deal of attention to the subject of town planning and the special development of the town planning associated with the Garden Cities of Letchworth and Welwyn. Public opinion moves slowly in this country, but every year sees a wider realisation of the truth that the planning of undeveloped areas, and the re-planning of those whose development has been allowed to grow haphazard, is the only way of avoiding incalculable waste in the future. The Regional plan, which in some cases covers hundreds of square miles and includes the areas of numerous local authorities, is coming to be the rule in the spaces between the more progressive towns in the industrial districts; and there is at last good ground for hoping that Greater London itself will take in hand the problems which in its case are more serious and more urgent than in any other part of the country. As for Garden Cities, it is not surprising that they should still lag behind, for they need more than co-operation; they require capital, and capital is shy of new enterprises until confidence is fully established. But those which already exist are their own best propagandists, and perhaps before long it may be possible to formulate that policy for which Colonel Fremantle asks.

The Conservative and Unionist Party has good reason to be proud of its housing record. In the country districts, I believe the Rural Workers' Housing Act will prove a valuable addition to our legislation; and the growth of owner-occupiership, under the Act passed in 1923, is a source of deep satisfaction to all who believe in cultivating independence and self-reliance among our people.

In the work that has still to be done, I am sure that housing reformers will find Colonel Fremantle's book an invaluable source of information and guidance, and I cordially commend it to their notice.

#### A NEW POLICY EXPECTED

Now that the Government has caught up, to such an extraordinary extent, with the housing shortage in England, one may expect in the near future a programme for dealing with England's slums. It would

be strange indeed if Mr. Neville Chamberlain, who a few years ago headed the Parliamentary Committee of Inquiry on this subject, should not formulate and present to Parliament a comprehensive and constructive programme for dealing with this difficult question. If we do not misinterpret Mr. Chamberlain's views we believe that it was largely the desire to accomplish something constructive and definitive in this part of the field of housing reform that led him to accept the post of Minister of Health under the present Government. All of the efforts that he and his associates have put forth thus far in stimulating the building of houses so as to overcome the housing shortage, have been regarded as merely the first step in the carrying out of a great Government policy that will mean the ultimate wiping out of England's slums.

One of the methods which we feel sure Mr. Chamberlain will rely upon to accomplish this, and which, presumably, will be part of any Government plan for dealing with this question that may be presented, will be along the lines which recently have been emphasized, viz., the reconditioning of existing houses. This is a method which has proved practicable in every country where it has been employed, and one that does not involve the impossible financial burden upon the people which the complete wiping out of acres of existing buildings and their replacement by new buildings does involve. In his Report as chairman of the Committee on Unhealthy Areas Mr. Chamberlain made this very definite recommendation, along these lines:

Pending reconstruction, unhealthy areas might be materially improved if they were purchased by local authorities on terms equitable to present owners but not prohibitive in cost and the houses therein altered, repaired and managed on the Octavia Hill system.

### THE PROBLEM NOT SOLVED

That there is still much to be done in the field of housing reform, notwithstanding this remarkable showing of the Government in bringing about the production of 1,102,387 houses since the War, is evidenced by the position taken by the National Housing and Town Planning Council of England.

According to its Secretary John G. Martin, there is still a serious housing problem in England. In a recent statement Mr. Martin suggests that, notwithstanding the 1,000,000 houses that have been built, there is still a shortage, in round figures, of at least 600,000 houses—and this, entirely outside of the houses needed to replace tens of thousands of slum dwellings.

He cites as justification for further determined national effort to find an adequate solution for the housing problem certain social facts

which we are frank to state do not have a very convincing relation to the housing problem of England or of any other country. For instance, Mr. Martin cites the fact that 15,250,000 working weeks were lost in England and Wales in 1926 through the sickness of insured workers. In the name of all that is intelligent and scientific we hope that he does not actually believe that that sickness is chargeable to the housing conditions under which these workers live.

Again, he advances as a reason for increased effort in housing the fact that 1,000,000 children of school age are so mentally and physically defective as to be unable to derive reasonable benefit from the education provided by the State. Again, we hope that Mr. Martin does not really believe that there is any direct causal relation between the bad housing conditions under which those million children are assumed to live and their mental condition. So, with the other social facts which Mr. Martin summons to his aid.

If there are no better reasons than these for the continuance of Government-aided housing in England, we are clear that the time has come for bringing it to an end.

That there is still need in England of effort to increase the number of available houses, especially houses that can be rented at terms within the earning capacity of the lower group of wage earners, cannot be gainsaid.

That the National Housing and Town Planning Council with its membership based largely upon a constituency of local authorities throughout England should press for a continuance of the housing subsidy is to be expected. That the solution of England's housing problems lies along these lines we very much doubt. Frankly, we share the views of the Government, that it is highly desirable to relinquish the field to private enterprise at the earliest possible moment; and to leave to Government those functions which properly belong to Government, namely the regulation and control of proper conditions of living through oversight and law enforcement.

### THE SUBSIDY AND HOUSING COSTS

Notwithstanding the remarkable achievements which have been brought about in England through the efforts of the Government, and through private enterprise, England's housing reformers are still insistently urging that the system of subsidized housing shall continue—apparently indefinitely.

Under the Housing Act of 1924, the so-called Wheatley Act sponsored by the Labor Government, provision was made that the amount of the subsidy should be subject to review in the fall of 1927.

As was to be expected, a well-organized campaign was promoted throughout England, beginning about six months before that time and looking towards impressing the Government with the view that the British people desired the existing rate of subsidy to be maintained.

The National Housing and Town Planning Council, which has rendered great service to the cause of housing through many years, led this campaign, which, naturally, secured much support from the local authorities throughout England. Local authorities would, indeed, not be human if they did not wish to continue to place upon that intangible thing, the Government, burdens which otherwise would have to be distributed upon the taxpayers in each locality, and which would be at once reflected in the local "rates." Taxpayers are notoriously sensitive, and officials are quick to respond to their desires.

Notwithstanding this widespread agitation, the Government stood firm, recognizing fully what was back of it, and when the time came to reconsider the amount of Government subsidy, on September 30th last, did what was expected of it, and reduced the amount of that subsidy in England and Wales. In Scotland, where the deficiency of houses is still great, the existing scale as provided in the 1924 Act was allowed to remain undisturbed for another two years.

#### THE SUBSIDY REDUCED

It would have been strange indeed if the Government had not reduced the subsidy, in view of the fact that at that time there had been built in England and Wales, since 1919, over 970,000 houses, of which 615,000 had been built without any State assistance at all. While the amount of reduction was deemed comparatively small, being but £2 a year on each house, when it is remembered that the subsidy is continued for 20 years under the Chamberlain Act of 1923 and for 40 years under the Wheatley Act of 1924, it becomes apparent that this reduction means a saving to the Exchequer (Treasury) of £40 on every Chamberlain house and £60 on every Wheatley house.

Stated thus in terms of so much per house it seems a comparatively small sum, but when the aggregate burden upon the taxpayers of the country is concerned it is at once realized what a vast sum it involves.

#### THE BURDEN ON THE TAXPAYER

According to B. S. Townroe, a competent observer of the situation, the annual payments for houses built under the Addison scheme alone, in England and Wales, amount to over £7,000,000 per year, and these payments will continue for every year until about 1985, in other words

for another 60 years. What the capital value of this vast sum is on the 176,000 houses erected under the Addison regime, it is difficult to estimate; for it depends upon the rate of future interest on loans, the rents that can be obtained, and the produce of the so-called "penny rate," which differs in different localities. Mr. Townroe states that estimates, on good authority, give the capitalized value of the subsidy on these houses alone as the vast sum of £107,000,000. In addition, there is the capital value of over £30,000,000 for the houses erected under the Chamberlain and Wheatley laws.

As Mr. Townroe vividly puts it:

If the Wheatley scheme were carried out to the full extent of the programme put forward in 1924 for the completion of approximately 2,500,000 houses within the next 15 years, and the full Exchequer contribution were paid in all cases, we should find ourselves, our children and our grandchildren, at the end of 1980, having paid over one thousand million pounds (£1,000,000,000) for subsidies to one industry alone.

#### REDUCED SUBSIDY—REDUCED COST OF BUILDING

That there is a direct relation between the amount of the subsidy and the cost of building has been strikingly proved ever since England embarked upon this vast enterprise in 1919. According to some, the cost of building has been increased each time under each Government scheme by the full amount of the subsidy, but this would be a little difficult to prove. There is no doubt about it that the reduction of the subsidy has brought about a reduction in the cost of houses. A non-parlor house that at the end of 1920 cost at the maximum £888 was being built last July under contracts let by local authorities for £418. The latest official figures show that the average price of non-parlor houses included in contracts let by local authorities during the quarter ending in March last was but £368.

In an official announcement made in the House of Commons, Sir Kingsley Wood, Parliamentary Secretary to the Ministry of Health, stated last month that in the 12 months since the announcement of the reduction of the subsidy was made, the prices of non-parlor houses included in contracts let by Rural District Councils had fallen by some £60 per house. Further evidence of this direct relation of the amount of subsidy to the cost of building was shown by the statement made by the Minister of Health in Parliament in answer to a question in March, in which Mr. Chamberlain stated that the average prices of houses included in contracts let by local authorities during the month of December in the years 1924, 1925, 1926, 1927 were, respectively, for non-parlor houses £440, £448, £461 and £401.

Under the provisions of the Housing Act of 1924 there will be a further review of the amount of subsidy at present payable, on October 1st next. Thus far the Government has not disclosed what its plans are with regard to this phase of the question though it would seem as if in view of the vast number of houses erected, that there is likely to be a still further progressive reduction of this burden upon the taxpayer.

## GOVERNMENT HOUSING AND ITS POLITICAL CONSEQUENCES IN LONDON.

The leading exemplar of Government housing in practice anywhere in the world is to be found in the work of the London County Council, the Governmental body having control over the greater part of that great metropolitan center known as London. For the past 38 years it has been engaged in attempting to deal with the housing problem of 7,000,000 people. It has not only been attempting to clear out its slums, but has been under urgent compulsion to provide adequate and modern housing accommodation, not only for all people thus displaced, but for all of those members of the community who, in the opinion of the governing authorities, cannot provide adequate housing for themselves.

How far a community may be led when once embarked upon this doubtful policy of Government housing is evidenced by the fact that already since 1918, this body has spent nearly ninety million dollars (£17,500,000) in building houses and has loaned another \$13,000,000, (£2,750,000) to enable people to buy or to build their own houses. In this short period of less than 10 years the London County Council has provided 37,000 new dwellings—accommodations for a good-sized city. When all the existing schemes that are now arranged for are completed, without taking into account any additional projects which may be developed in the near future, they will have provided, on the basis of two persons per room, housing accommodations for 496,000 people, or in round figures half a million souls. Already the rent roll for the London County Council in its housing schemes exceeds £1,000,000 each year.

### HAVE THEY CREATED A FRANKENSTEIN?

With the development of its housing work and the increasingly vast number of people which are affected by it in various ways, it is not strange that some of the more thoughtful members of the London County Council should be asking themselves the question whether they

may not have created a Frankenstein; and, like the creator of that monster, wonder whether the monster may not ultimately destroy them.

It has only been in recent years that one has been able to note creeping into the discussions of this question of housing of the workers a new note of anxiety, and sometimes of fear, as to the political consequences of these vast enterprises.

Questions are now being raised as to whether this situation may not give rise to serious political consequences. For, the London County Council, a popularly elected body, charged with responsibility for the government of the major part of the city of London—now fixes rents and other conditions as landlord for a number of people larger than that of a good-sized city. The dangers of corruption and of improper influence under such a situation are becoming apparent to thoughtful observers in London. Indeed, in other parts of England there have already been instances of candidates for local government bodies promising to reduce rents, and even to disregard non-payment of taxes on the excuse of industrial depression, for the sake of gaining votes.

#### POLITICAL CONSEQUENCES ARE FEARED

Numerous instances that have occurred in all parts of England, and of Scotland as well, are not only giving thoughtful observers pause, but are making the responsible Ministers of the Crown concerned as to whether they must not take steps that will, so far as possible, safeguard this condition and offset these tendencies.

Seeing some local authorities under Socialist control who are inclined to turn a blind eye when their tenants are behindhand with their rent, and fearing that Municipal ownership of houses may lead to abuses similar to those encountered from time immemorial in connection with the administration of outdoor relief, it is stated that the Minister of Health and his associates are now considering the introduction of legislation in Parliament which will make it compulsory upon local authorities to appoint trustees who will manage municipal house property.

The admirable management of model tenements throughout England by limited-dividend companies, such as the Peabody Trust and others, which have existed for the better part of a century, would seem to indicate the method by which these conditions can be safeguarded.

Those of us in America who watch municipal tendencies and realize the imperfections of Government under democracy, have found in these tendencies that are now manifesting themselves in England a controlling reason for not advocating in America this departure from American principles of Government. With our political conditions, the

consequences would be far more disastrous than in a country like England where local government is stable and pre-eminently honest.

That there are other difficulties involved for the Municipality which embarks upon the building of houses for its people has recently been made evident in the discussion of some of the problems which confront the London County Council in its vast undertaking.

Lieut. Col. C. B. Levita, C. B. E. M. V. O., Chairman of the Housing Committee of the London County Council, has recently called attention to some of these problems. In January, under his guidance, a visit was paid by a number of representatives of the press to the leading Housing Schemes of the London County Council. Two days were taken up in visiting their estates, and, even then, the visits were necessarily only superficial ones and did not include by any manner of means anythink like all of the various developments; it would take undoubtedly a week to cover these.

#### WE SHALL ALWAYS HAVE SLUMS

At a luncheon given on the first day Colonel Levita, discussing the problems which confronted his body, said that while the London County Council were overcoming "slumdom" in some degree, there would still be slums created in many parts of the country, notwithstanding all that was being done. He pointed out that slum dwellers in many cases were quite different from the normal inhabitants, and that it was impossible to deal with them except by putting them into second-class property and letting them move up and up gradually—in other words, what Octavia Hill pointed out half a century ago, and what 25 years ago Mr. John Mann, Jr., urged for the City of Glasgow, viz., that there should be a sort of "social quarantine" for the slum dweller, before he could be trusted to occupy new dwellings.

Colonel Levita went on to say that it was no good putting the slum dweller into a brand new tenement or cottage. The creation of slums, he added, was very largely a matter of mentality and of personnel, rather than of the kind of building; and until the education of the people had improved, we would have slums.

We commend with prayerful consideration these comments to the public officials and others in New York who are urging that city to embark upon a wholesale policy of slum clearance.

Those advocates of rent restriction and of Government interference in private affairs should heed carefully Colonel Levita's remarks that, from the Housing point of view, their difficulties have been very greatly increased by the continuance of the rent restriction acts; and, that at the present time the Council is carrying a great burden which ought

never have been put upon them. He added that from the housing point of view it would be far better when the rent restriction laws were allowed to come to an end. When that happened, there would naturally be a great displacement of tenants.

It should also give the advocates of Government housing pause to read the remarks of J. M. Gatti, Chairman of the London County Council, who, speaking in January at a public meeting, stated that since the close of the War in 1918, the London County Council had spent £17,500,000 (\$87,500,000) in building houses and that *every one of the houses they had built represented a substantial loss*.

Ground for further thought on this subject of Government housing will be found in the remarks of Colonel Levita to be found in a recent Report on the housing work of the London County Council in a pamphlet recently published entitled "Housing" published by the London County Council.

In that document Colonel Levita points out some of the difficulties that have been encountered and which will have to be carefully considered by those who advocate a policy of building Garden Cities and satellite towns around London, as distinguished from re-housing persons now slum dwellers on or near the site of their present abode.

#### THE TENANTS DO NOT WISH TO LEAVE THEIR SLUMS

He points out that a definite policy of establishing selected cottage estates has been adopted by the London County Council although, owing to a lack of co-ordinated town planning it is a matter of difficulty to find land. He states, too, that wherever possible sites for factories have been reserved on London County Council estates and an effort made to encourage industries to settle on them, in order that the tenants may live close to their work. But he has to confess that the industries reputed to be anxious to remove themselves from London have not yet been discovered. In the solitary case where negotiations appear to have been successfully terminated for the removal of such a factory, the employees concerned presented an ultimatum to their employers against leaving London.

Another difficulty in this establishment of satellite towns and getting industries as well as people to move out of great cities is found in the fact that cities like London live on their taxable values; Colonel Levita points out that it is unreasonable to expect the London County Council with the ever increasing demands upon it for social services, to expend money heavily to diminish those taxable values by persuading manufacturers to move their factories outside the boundaries of the County.

## THE L. C. C.'S VAST WORK

How vast an undertaking the London County Council's housing work is, is realized from the following table giving the details of their housing schemes, not including its slum clearance and reconstruction work:

<i>Estate:</i>	<i>Area.</i>	<i>Houses to be erected.</i>	<i>Houses erected up to Dec. 31, 1927.</i>
Old Oak (Hammersmith).....	32	736	736
Norbury (Croydon) .....	11	218	218
Roehampton (Wandsworth) .....	147	1,212	1,212
Bellingham (Lewisham) .....	200	2,124	2,096
White Hart Lane (Tottenham).....	98	1,237	1,237
Becontree (Essex) .....	2,770	26,000	12,131
Downham (Lewisham and Bromley).....	522	5,932	3,225
Castelnau (Barnes) .....	50	643	101
Watling (Hendon) .....	390	3,980	1,373
Wormholt (Hammersmith) .....	68	771	353
St. Helier (Surrey) .....	843	8,000	—
	<hr/> <u>5,131</u>	<hr/> <u>50,853</u>	<hr/> <u>22,682</u>

The following are particulars of the schemes now in hand for the clearance and reconstruction of unhealthy areas:

<i>Name of area:</i>	<i>Size of area.</i>	<i>Persons Dis- placed.</i>	<i>Persons to be housed within the area.</i>
Tabard-st., Southwark .....			
Grotto-pl., Southwark .....	$18\frac{1}{2}$	4,552	2,988
Crosby-row, Bermondsey .....			
Brady-st., Bethnal Green.....	$7\frac{1}{4}$	1,875	1,600
Ware-st., Shoreditch .....	$8\frac{1}{2}$	2,648	2,408
Hickman's-folly, Bermondsey .....	6	1,645	1,372
Bell-la., Stepney .....	$5\frac{3}{4}$	1,705	954
Ellen-st., Stepney .....			
Bruson-st., Stepney .....	$8\frac{1}{2}$	2,601	1,394
Baker's-alley, Poplar .....			
Birchfield-st., Poplar .....	$2\frac{3}{4}$	740	190
Bromley-place, Poplar .....			
George's-rd., Islington .....			
Brand-st., Islington .....	$4\frac{3}{4}$	1,320	1,032
Watergate-st., Deptford and Greenwich.....	$7\frac{1}{4}$	1,927	3,000
China-walk, Lambeth .....			
Hatfield-pl., Southwark .....			
Hankey-pl., Southwark .....	$10\frac{3}{4}$	3,241	2,200
Wyndham-rd., Camberwell .....			
Ossulston-st., St. Pancras .....	8	2,700	3,054
Basing-pl., Camberwell .....	$3$	758	756
Blue Anchor-la., Camberwell .....			
Carlisle-st., St. Marylebone .....	7	2,832	2,400
Total .....	<hr/> <u>98</u>	<hr/> <u>28,544</u>	<hr/> <u>23,348</u>

## 9-STORY FLATS IN LONDON'S SLUMS

The latest scheme which the London County Council has under consideration in connection with one of its slum clearance schemes contemplates the building of a group of dwellings in the form of 9-story flats. These proposals have aroused much discussion and considerable opposition; first, from those who believe that the whole policy of building so-called "block dwellings" should be abandoned, and that the only proper way of housing the people of England is in small houses, built either detached or in rows or groups. More serious opposition, however, has developed—and we think rightly—from those people who view with alarm this proposal to "Americanize" the slums of London, by building tall skyscraper buildings, which have never been built before in such quarters in any city of the world, and which mark a very great departure from all English practice. As a matter of fact, a proposal to build 9-story apartment houses on Park Lane would arouse even greater opposition. For, the people of London rightly recognize the objectionableness of the skyscraper and have heretofore set their face against it, not only in office buildings, but very particularly in any form of dwelling.

Further objections to the proposal are said to come from experts in the Air Ministry and in the Home Office who are concerned with the safety of Londoners in case of air raids in future wars, and who view with disfavor the concentration of over 3,000 people in one of the danger zones, close to the main line stations of Kings Cross and St. Pancras.

The houses proposed are being erected in what is known as Somers Town in the very unsavory district of Ossulton Street, in the St. Pancras quarter of London.

We very much fear that America has much to answer for in this latest experiment of the London County Council. For, the scheme to go up into the air and build flats 9 stories high, was evolved by the chief architect of the London County Council, G. Topham Forrest, shortly after his return from America and his study of building conditions over here.

It is only fair to Mr. Forrest, however, to say that this development does not contemplate unending rows of 9-story barrack dwellings but a very cleverly developed architectural group of buildings, of varying heights, ranging from 5 to 9 stories; and that it is only in a comparatively limited portion of the development that the extreme height of 9 stories is to be found. Of course, these buildings will be fire-proof and

provided with lifts, as there is naturally no thought of asking the working people of London who dwell in them to climb 9 flights of stairs.

We predict that these 9-story flats will not prove to be a success and that no similar group of buildings, or anything like their type, will be built in future in London. In any event this development will be watched with the keenest interest by all students of the housing question.

## LONDON THE MONSTER

A writer in one of the London architectural journals, writing three years ago on the overgrowth of London, said:

London is now beyond hope. Long since so vast as to become officially a county, absorbing a city, it is today a country in itself. This is no picturesque exaggeration. Its revenue and its population are both greater than those of kingdoms that have loomed large in history. It is today grotesquely overgrown. \* \* \*

But as the great cities of England grow, and the villages diminish, the countrymen will disappear, and the finest recruiting ground of the towns will no longer prove fruitful.

So will the towns by eating up the country seal their own doom. And London, already alarmingly overgrown, cannot be allowed to spread indefinitely and amorphously, like an ogre, over the land. There must be a stop to it, or it will some day put a stop to us. \* \* \*

The overgrowth of London has become a most serious problem. Better a ring of satellite towns, with at least a suggestion of a rural belt in between, than this infinite expansion. "It is not growth by bulk that makes man better be." And it is true, too, of cities. Athens was not a large city, but it was a great one. Julius Caesar was of small stature. Athens survives. Gone are Nineveh and Babylon. Thebes and Carthage are no more.

This was three years ago. Since then there has been much discussion of the conditions thus described. Public-spirited bodies interested in the welfare of London and in housing, town planning and similar movements have concentrated their fire upon the Governmental authorities, to the end of bringing about the zoning of London and the preparation of a comprehensive plan for the London Region.

That America, and particularly the great sister city of New York, faced with similar problems, should have been influential in bringing to the authorities in England a realization of the practicability of such effort is gratifying to those in America who have been working along these lines. That the example of New York has been a potent factor in this respect cannot be doubted.

Moved by various persons in London who realized the urgent necessity of zoning that great metropolis, the London County Council three years ago sent their architect, G. Topham Forrest as their rep-

representative to study the practical workings of zoning in America. Mr. Forrest made a comprehensive study of the conditions that he observed in the United States and upon his return to England made an exhaustive report on the subject. Shortly after the publication of this Report, renewed effort was made to bring about the zoning of the London Region.

#### LONDON NEEDS ZONING MORE THAN NEW YORK

In discussing the application of zoning to London, three years ago, Mr. Forrest pointed out how much more important it was in a way to zone London than it was to zone New York. For, New York had the benefit of wider streets and the advantage from many points of view of the gridiron plan; whereas, as Mr. Forrest points out, the average width of streets in the city of London is about 28 feet, contrasted with a street width of 60 feet in New York. He also pointed out the difficulties of traffic problems in London caused by the fact that a large amount of through traffic passes through London in the absence of any north to south communication and of proper by-pass roads—the result of which is tremendous loss and delay, and increased congestion in the traffic conditions of that city. Mr. Forrest says that parallel alternative routes by which in the American method of layout a diversion of traffic is rendered possible, are for the most part non-existent in London.

Following Mr. Forrest's presentation of his observations of the situation in America, particularly in New York, and their application to London, George L. Pepler, Past President of the Town Planning Institute, and one of the officials of the Ministry of Health having to do with town planning, a few months later in a scholarly paper read before the London Society discussed Regional Planning as applied to London and its Environs. On this occasion he pointed out that, although Regional Planning was then well established in the country, that at that time there were 32 joint Town Planning Committees and 500 local authorities making regional plans for a total area of over 5,000,000 acres, or about 8,000 square miles, the London Region was still without a comprehensive plan; although the smaller community of Manchester had developed a plan for the Manchester Region, covering an area of over 1,000 square miles including 96 local authorities within its boundaries.

It is proverbial that things move slowly in England. It is a conservative country and in that fact may be found much of its charm and many of its advantages, but from the point of view of town planning that very conservatism and inertia is something of a handicap.

## THE FIRST STEP TAKEN IN 1913

Fifteen (15) years ago, as far back as 1913, John Burns, as President of the Local Government Board—predecessor of the Ministry of Health—caused to be formed what was known as the Arterial Road Conference. This was a voluntary combination of local authorities, Governmental departments, and representatives of private societies and associations, which did a notable piece of Regional Planning, introducing their great scheme of arterial roads, based largely on the proposals of Colonel Hellard, for an area of approximately 1,000 square miles. Most of these roads, and others, are in being, or are now in course of construction. At a later date the London Society produced a plan that included not only these arterial roads but also a far sighted scheme of Regional open spaces.

Six (6) years later in 1919, a Parliamentary Committee on Unhealthy Areas was set up, of which the present Minister of Health, Neville Chamberlain, was Chairman. That Committee was charged with the problem of dealing with the so-called slums. It is significant that that Committee, charged primarily with the solution of a very special problem, found that that problem could not be isolated and could not be dealt with effectively except as part of a general development plan dealing with not only housing but with transport, reconstruction, distribution, decentralization into self-contained Garden Cities or satellite towns, open spaces, etc.

In their final Report rendered in 1921 that Committee recommended:

That some competent person or persons should be at once authorized to prepare a plan for the reconstruction of London and the surrounding country, including the Home Counties as well as the Metropolitan and City Police Districts.

Following this recommendation a Royal Commission on London Government was set up to study the various complex, conflicting and interlocking governmental units comprised within what is popularly known as the London Area. This Commission recommended that an Advisory Committee on London Home Counties covering an area extending for a radius of 25 miles from the center, that is Westminster, should advise the appropriate Ministers upon transport; town planning in relation to transport; housing as a part of town planning, in relation to an equitable distribution of population; and main drainage, new facilities and combinations between authorities, with a view to the coordination of these activities within their Region.

Since that Royal Commission rendered its Report, a London and Home Counties Traffic Advisory Committee was constituted to deal with one phase of the problem.

#### NEW YORK LEADS LONDON

Trying to pique the people of London into action by holding up before them the fact that though London had been first with a regional plan for arterial roads, she had been outstripped by New York in respect to a complete general plan which was now being developed in that city covering an area of 5,500 square miles. Mr. Pepler said on this occasion :

There is still time for us to catch up again, because our Region is all in one state—not in three, as is the New York Region—also we possess accurate maps, and we have the advantage of investigations already carried out by several commissions, committees, conferences, and societies, such as our own; there is a Traffic Advisory Committee already in existence; we have the statistics of daily movements of population extracted from the last census, preliminary investigations in hand by the London County Council and other bodies; and, last but not least, the work done by the Joint Town-Planning Committees.

A few months later Mr. Topham Forrest called the attention of the people of London to these problems by foreshadowing the conditions that would exist in London a hundred years from now.

#### A MEMORIAL TO THE GOVERNMENT

What probably, however, brought the whole matter to a head was the joint action by a group of private organizations representing the leading bodies interested in this field, waiting upon the Minister of Health in the Spring of 1926, and presenting to him a Memorial calling his attention to the great need of the development of a zoning scheme and of a comprehensive plan for the London Region.

The delegation which waited on the Minister of Health was a most distinguished one, including in its members representatives of the following organizations :

Town Planning Institute, Institute of Transport, Garden Cities and Town Planning Association, Institute of Municipal and County Engineers, the London Society, Metropolitan Public Gardens Association, Royal Institute of British Architects, Roads Improvement Association, Commons and Foot-path Preservation Society, London Playing Field Society, National Housing and Town Planning Council, National Playing Field Association.

Among the distinguished town planners, housing experts and architects who represented these organizations were Thomas Adams,

Patrick Abercrombie, E. R. Abbott, Ewart G. Culpin, H. V. Lanchester, W. R. Davidge and Alfred R. Potter.

Mr. Adams, speaking from the advantage of an intimate personal knowledge of conditions on both sides of the Atlantic Ocean, as a means of pointing out to the Government how eminently practical the scheme was, called attention to the fact that he was at that time engaged in preparing a similar plan for New York City and its Environs which dealt with an area of 5,528 square miles and included 400 separate municipal bodies and portions of 3 states, that it included the whole area whether built upon or not, and in many respects presented a more difficult problem than that with which London was faced.

#### A COMMITTEE ON LONDON'S REGION APPOINTED

We said that things move slowly in London. Following this Memorial to the Ministry, nineteen months later, early in November of last year, upon the initiative of the Ministry of Health, the Greater London Regional Planning Committee was launched.

The Committee which has been set up on the initiative of the Ministry of Health is a purely private or voluntary organization without official status, although it includes in its membership representatives of the various authorities and Governmental bodies as well as private societies that are vitally concerned with the problem to be considered.

The Committee is composed of 44 members. Representation in this membership is on a group basis, based on the Regions which have already been established, surrounding but not including the County of London. The Chairman of the Committee is Sir Banister Fletcher, F. R. I. B. A., the representative of the City of London, and the Vice Chairman is Harold Swann, Chairman of the Town Planning Committee of the London County Council. Montagu Harris of the Ministry of Health is serving as the Executive officer of the Committee.

In response to criticism of the Committee advanced recently, Sir Banister Fletcher, the Chairman, responding to the charge that both he and the Secretary are much too busy with other affairs to give to the work of the Committee the time it requires, points out that such criticism is based upon a misconception of the function and purposes of the Committee. He rightly says that were it the duty of the Chairman to devote himself to all the necessary details of preparing a London plan, he certainly could not have accepted the post; and points out that the work of the Committee, for some time to come at any rate, will be rather of the nature of an inquiry; and, covering as it does, a large and varied sphere he, at least, hopes that that work will be split up among

sections which will have the assistance of representatives of other bodies outside the Committee.

### THE SCHEME OF ORGANIZATION

That the Committee is to proceed along these lines was indicated by the scheme of organization adopted at the beginning of their work. At the first meeting they appointed a sub-committee on General Purposes; and, following a meeting held at the end of November, on the recommendations of that sub-committee they agreed that its functions should be:

- (a) That the General Purposes Sub-Committee be responsible, subject to the directions of the Committee, for the conduct of the Finance Committee and for the general management of its business; that it be empowered to act on behalf of the Committee between the meetings of the latter and that, for this purpose, it be enabled to delegate its powers to the Chairman and Vice-Chairman.
- (b) That the General Purposes Sub-Committee be expected to give advice from time to time as to the programme of work, both of the Committee and of the other Sub-Committees and to co-ordinate the work of the other Sub-Committees under the direction of the Committee.
- (c) That the General Purposes Sub-Committee have the right of reporting to the Committee concurrently with other Sub-Committees on all proposals having financial implications.

They also agreed to appoint a Technical Sub-Committee to collect and prepare all data for the information of the Committee or the Sub-Committees, and to prepare the Regional plan for the area, if and when considered desirable. This Technical Sub-Committee will be comprised of selected Surveyors to the Councils in the Region, and the town planning advisors of the Regional Joint Committees already established.

The following other Sub-Committees were also appointed:—

*Decentralisation Sub-Committee* with the following functions:—

1. The principles of decentralisation;
2. The extent to which decentralisation would be of advantage or even, it may be, essential;
3. How far decentralisation is practicable;
4. The means by which decentralisation can be attained.

*Open Spaces Sub-Committee* with the following functions:—

1. What further provision is desirable and likely to be practicable in the way of:—
  - (a) large open spaces (parks or playing fields);
  - (b) special reservations on account of natural beauty or historical interest beyond the scope of a Local Authority or Regional Group;
  - (c) Allotments.
2. Whether any special rules or measures as to open spaces should be recommended for the guidance of Regional Groups or Local Authorities.
3. The possibility of a so-called “agricultural belt” or belt of land not to be built upon round London. This point is closely connected with the question of decentralisation and possibly there would be some advantage if it were considered concurrently by the Decentralisation Sub-Committee.

## WORDS OF WISDOM FROM THE MINISTER OF HEALTH

If all of the members of this Committee that is about to study the London Region show the same grasp of the subject as was shown by the Minister of Health, Neville Chamberlain, when he addressed them at their organizing meeting last November, great results may be expected from their deliberations.

On this occasion Mr. Chamberlain said, in part:

I think, in surveying this very difficult and extensive subject, one is impressed with its urgency in view of the accumulating and steadily increasing congestion in London itself. It is common knowledge that the traffic problems of London have become now so difficult that indeed it is very questionable whether it is possible to find any solution which will be entirely satisfactory. It may be that all we can do now, beginning at this rather late stage in the proceedings, is to prevent its getting much worse; or perhaps in some degree to mitigate its most acute forms; and we see that there are developments going on all round London to-day which operate still further to increase and to multiply the difficulties of London's internal traffic.

There is only one consoling thought about the future, and that is that the rate of increase of the population is diminishing; that in all probability there will come a time when the population as a whole will be stationary, and one might, therefore, I think, not unreasonably, estimate that these difficulties will not continue to grow at the pace that we have seen in the past. At the same time one has to set against that the fact that, concurrently with this decrease in the rate of increase of the population, there is a steady set from the country into the town; and I do not think therefore that we can flatter ourselves with the hope that the Great Wen, as Cobbett used to call it, is going to cease its past habit of swelling indefinitely.

## SATELLITE TOWNS SUGGESTED

Speaking of the important problem of concentration of population which confronts them, Mr. Chamberlain said:

I think it is a point to which this Committee should certainly turn its attention: as to how far there would be advantage in trying to concentrate the development in particular spots and areas by the establishment of deliberately planned new towns, satellite towns, as the phrase sometimes goes, where you get sufficient concentration of population to conduce to effective government, to economy in services, and probably also to some reduction in the traffic problem.

If, as a result of investigations, it were found that such a concentration were desirable, there is one feature of it which I would like to suggest to you as necessary to be considered—that is, the class or classes of persons whom one would desire to see taking part in such concentrations. I feel myself that it is undesirable to segregate the classes in concentrations of this kind, and efforts should be directed to see that, where such new cities were formed, there should be representatives of all or, at any rate, as many classes as possible. But, of course, if these

new towns are merely dormitories: if they are merely the concentration in certain areas of persons who have every day got to come back again to the centre to earn their livelihood, we are not solving by any means the whole of the problems.

What I think we have to aim at is a decentralisation of our great city. It may well begin by a prevention of further accumulations of the kind that have taken place already. It may well, however, end in some disintegration, if I may use that word, of what has already been done, and in consequent relief of this congested centre. In fact, the key, I think, of successful decentralisation is to be found in the accompanying of the migration of population by the means of earning their living; in other words, the migration of the industries along with the people who are conducting those industries.

Mr. Chamberlain then went on to discuss the relative advantages of Garden Cities and other satellite communities, the advantage of the Agricultural Belt, of Zoning, of Compensation and of the great difficulty of financing any schemes that might be developed.

After reading Mr. Chamberlain's remarks one is conscious of the vast problems which confront this newly organized Committee—quite as vast as the problems which have confronted the Committee on Regional Plan of New York, but which that group of public spirited citizens has by no means found insoluble.

The district included within the Region which this Committee is to study may be roughly described as the territory within a 25-mile radius from the center of London, viz., from Westminster. It covers an area of approximately 2,000 square miles, or less than half the area of the New York Region; and extends on the north as far as Welwyn Garden City, on the west it includes Eton, Windsor and Slough, on the south it extends as far as Guildford and Seven Oaks, and on the east as far as Billericay, and to the northeast includes Epping.

We congratulate London upon finally undertaking this comprehensive and vitally important work. The results that will flow from it, will prove of benefit whose value it is impossible either to foresee or estimate.

## TOWN PLANNING IN ENGLAND

The progress made by the town planning movement in England is little short of remarkable. Great advances have been made in recent months. The latest official reports indicate that 3,225,830 acres of land are now included in town planning schemes that have been prepared by 489 different local authorities.

When, shortly after the War, the Government sponsored legislation making the town planning of unbuilt areas compulsory upon all au-

thorities in Urban Districts with a population of 20,000 or more, it was prophesied that the act would largely become a dead letter.

That it has not become a dead letter is due to a variety of reasons. Undoubtedly one of the reasons for the great success of the town planning movement in England and Wales in this short time has been the diplomacy, skill and enthusiasm with which the movement has been sponsored and aided by the Government, acting through the Ministry of Health, under the very wise and patient guidance of Mr. I. G. Gibbon, O. B. E., Under-Secretary of the Ministry of Health responsible for the town planning work of that body, and George L. Pepler, directly in charge of the Ministry's town planning work.

One of the interesting phases of the development of the town planning movement in England has been that the number of local authorities who were under no compulsion of law to adopt town planning schemes, already exceeds those compelled to develop a plan under the statute.

Notable as has been the development of the town planning movement in England and Wales, even more notable is the development of regional planning in those countries. According to recent reports, there are now 53 joint Town Planning Committees in existence. These include representatives of 836 local authorities. They are responsible for planning areas covering approximately 16,446,795 acres with a population of 31,323,477 and an assessable value of £204,500,000. The North of England is already almost entirely covered by such committees. The recent establishment of committees for Sheffield, for the Lake District and for Southwest Lancashire has filled in several gaps.

Many of these English Committees have already completed their Preliminary Reports and are now seeking cooperation with County Councils to find a means of sharing the cost involved in making arterial roads and preserving open spaces.

In striking contrast to the work in England is the situation in Scotland which has been extremely backward in recognizing the value of either town planning or regional planning. Very few town planning schemes have yet been started north of the Tweed, but the Scottish Board of Health is now taking steps to encourage town planning in industrial districts near Glasgow and Edinburgh.

#### PUBLIC SENTIMENT FOR TOWN PLANNING

One reason for the great progress in town planning in England is to be found in the fact that there are a number of live active organizations there that are carrying on active educational propaganda for

the development of this movement, notably the British Town Planning Institute, the Garden Cities and Town Planning Association and the National Housing and Town Planning Council. This latter organization, one of the oldest organizations devoted to housing and town planning in England, under the leadership of its able and effective Chairman Frank M. Elgood, O.B.E. F.R.I.B.A., and its Secretary John G. Martin, has recently been directing the attention of people in England to some of the present-day problems involved in the town planning movement.

At their recent Town and Regional Planning Conference in the Midlands held at Leicester in March, their programme was devoted largely to a discussion of town planning problems. Three principal subjects were on the agenda of this meeting for discussion, viz. the Town Planning Act of 1925, Regional Planning and Decentralization, and the Extension of the Town Planning Act to Include the Planning of Built-up Areas. Many local authorities, as well as representatives of county, borough and municipal corporations and Urban and Rural District Councils were represented on this occasion.

In connection with this meeting the National Housing and Town Planning Council issued a number of interesting documents—one a memorandum upon the Town Planning Act of 1925, in which earlier town planning legislation was reviewed and the principal provisions of the 1925 Act summarized by R. A. Reay Nadin, Town Clerk of Sutton Coldfield, for many years one of the leaders of the town planning movement in England.

A paper discussing Regional Planning and Decentralization was presented upon this occasion by F. Marsden, City Engineer and Surveyor of the city of Bradford, and the Planning of Built-up Areas in Existing Towns was discussed by such leaders in the town planning movement as W. R. Davidge and Professor Patrick Abercrombie of the University of Liverpool. Professor Abercrombie paid particular attention to the subject in its relation to Slum Clearance.

From a perusal of these documents it is evident that a very interesting and valuable discussion was had at this Conference of the National Housing and Town Planning Council in the Midlands, a conference which undoubtedly went far to aid the development of the Town Planning movement in England.

#### DEATH OF SIR EBENEZER HOWARD

That sweet, simple soul Ebenezer Howard is no longer with us. He quietly passed away after a short illness at the end of April, having lived 78 years of a fruitful, and in many ways amazing, life. The son of

a baker and restaurant keeper, he sought employment in stock brokers' and solicitors' offices after leaving school. At the age of 18 he taught himself shorthand and became secretary to a clergyman. When he reached manhood, for health reasons, he emigrated to Nebraska and, with two friends, took up farming. This, however, was not a success and he went to Chicago and joined the staff of a firm of law stenographers. In 1876 he returned to England and joined the staff of official reporters for the House of Parliament.

A few years later, greatly influenced by Edward Bellamy's book "Looking Backward," he was prompted to suggest a scheme of social reform, less ambitious and more practicable than that of reforming the entire universe. His idea for Garden Cities, though then in the germ, was developed and presented in a book entitled, "Tomorrow." This was in 1898. Later editions were published under the title, "Garden Cities of Tomorrow." In this book he visualized new and delightful towns with wide tree-lined roads, plenty of green open spaces and all possible healthful conditions.

Urged by his enthusiastic advocacy a group of men formed themselves into the Garden Cities Association in 1899; and, in 1903, influenced largely by Ebenezer Howard's personal energy and enthusiasm, the great experiment at Letchworth was ventured. Sixteen years later, on his own responsibility and initiative—daring where younger men would not have dared—he purchased the site of what is now Welwyn Garden City and the second enterprise of this kind became established. With a small amount of borrowed money he bought and paid the deposit on 1700 acres of land at Welwyn, increased later to 2400 acres.

We are glad that he lived long enough to see his dream come true—to see not only Welwyn prosper by leaps and bounds and achieve its marvelous development in a very short time; but to see his earlier love, Letchworth, which had suffered from lack of proper support at the beginning, finally achieve success of every kind—not merely social success, which it had from the start, but financial success as well. We are so glad that his great services to England and to the world were fitly recognized by his country and his King before he died; for it was only a little over a year ago that he was given Knighthood honors.

At his funeral at Welwyn Garden City there were numerous and many tributes, not merely to his achievements, but to far greater extent to his personality, coming from every rank of English society. A very happy description of him was published at the time of his Knighthood, written by F. J. Osborne, Clerk to the Welwyn Urban Council, who said, in part:

People who live near to Ebenezer Howard and sense his benign and unassuming personality are occasionally surprised at the evidences of his international fame. He has an air sometimes of being surprised at it himself, and to be disturbed by it as by a thing not in accordance with his simple tastes. But there is no doubt about his unique position in the world. Americans, Europeans, Asiatics, Africans and Antipodeans take off their hats and almost indulge in involuntary genuflexions when they pass his house in Guessens Road. Even Englishmen have been known to turn their heads with interest if they happened to be students of urban development. Whereat his fellow townsmen stare; their feelings being much more those of affection towards a nice old gentleman than of awe before a personal force that moves mountains and disperses cities. \*\*\*

Gazing with his simplifying vision at the bewildering chaos of modern cities, which only made Cobbett scream and Ruskin rave, Ebenezer Howard caught and fixed one of those rare big ideas that change history—an idea so obvious that even today people think there must be some hidden fallacy in it to account for its not having conquered the world long ago.

“He rests from his labors—  
And his works do follow him.”

## GARDEN CITIES A SUCCESS

### LETCHWORTH ARRIVES

It is only now, 23 years after the first Garden City was established at Letchworth, that the people of England have really waked up to the fact that the Garden City movement is a going concern and that Garden Cities are something highly to be desired.

Until very recently that view has been limited to a comparatively small number of people, but there are increasing indications on every side that the people of England, generally, are now alive to the fact that the Garden City movement is not some idealistic scheme, but a really practical measure that has proved itself and that commends itself as particularly suited to the genius of the English people.

When First Garden City, Ltd., paid its first dividend on its stock a short time ago it was hailed as a turning point in the career of the company and an evident sign of moderate success.

Now, more recently, another stage in the success of Letchworth has been reached by the first payment of a portion of the accumulated arrears of dividends on the ordinary stock. The amount is comparatively small £6,660- 5s -9d only about 1/20th of the entire amount of unpaid interest on the stock, but the promise that it offers is most encouraging.

Of course during all these years when no dividend has been paid on stock the interest on the bonds by means of which Letchworth was largely financed has been paid regularly.

Had the investing world taken more kindly to the idea of Letchworth when it was first promoted, and subscribed more generously to its stock so that it could have been financed in the more normal way and a much smaller proportion of its funds secured through bonds on mortgage, the results would have been quite different; and long before this the stockholders would have received normal returns upon their investment.

Under the circumstances it is a most creditable showing, especially when it is reflected that the Government has not loaned a single penny of the sum invested. The authorized capital of both common and preferred stock was £300,000. of which £241,834 were allotted. The company has raised nearly three-quarters of a million pounds on mortgages and debentures. Only a small proportion of this came from "the City" after initial neglect had been substituted by confidence in Letchworth as a sound financial investment. The credit side of the balance sheet at Letchworth reaches nearly a million pounds and the profit for the fiscal year, 1926-27, is £15,748.

Along with this fine financial showing the growth of Letchworth in recent years has been equally satisfactory. During the past year 116 houses have been erected and let by the local authorities, viz. the Urban District Council of Letchworth, at that part of it known as Hillbrow, and 42 additional houses will be completed soon in that section. With the completion of these houses the local authorities will have built 953 houses since the year 1920.

Nor have the recreation facilities at Letchworth been neglected. Recent consideration has been given to both present and future requirements of the town as regards playing fields. Apart from the golf course and some temporary football grounds, 76 acres of ground are already occupied for recreational purposes. An addition of about 125 acres of suitable ground has now been reserved to meet future demands as they arise.

The development of the area to the northwest of the railway station has been commenced. This area is close to the shopping center and furnishes excellent building sites. A scheme for laying out the Town Square as a public garden has been promoted by the Horticultural Society and supported by donations from the residents. The plan includes a rose garden and herbaceous border, belts of flowering shrubs and lawns. Excellent progress has been made and by the coming summer Letchworth will have as its center a beautiful garden which should prove another attraction of the town. New factories and additions to existing factories are constantly being developed. A secondary

school for about 300 boys and girls on a site on the west side of the Town Square is to be soon erected, as is a civic college.

As indicative of the growth of Letchworth may be cited the amount of water pumped during the year which amounted to the amazing figure of 220,369,000 gallons. Gas sold during the year shows an increase of 5.8% and the output of electricity an increase of 8% over the previous year.

From all of which is seen that Letchworth is both a going and growing concern.

### WELWYN'S AMAZING GROWTH

That Welwyn Garden City is developing by leaps and bounds is evident from recent reports. Though this community is less than 7 years old the population is already 6,313 and is increasing rapidly. There is a persistent demand for the small house to be let at rentals in the neighborhood of 11s to 13s 6d per week, and to meet this need the Welwyn Public Utility Society has prepared a further scheme of 102 houses.

Students of the Garden City movement should not neglect one feature of the development of Welwyn that is unique, and that is what might be termed the industrial development of a community on what might be termed the "installment plan." The great obstacle to the Garden City movement—as its founders recognized from the start and still recognize today—is the inertia and conservatism of industry, and the unwillingness of a well-established industry to pull up stakes and move from its existing location in a built-up community to a new community which has yet to prove itself. For this reason the industrial development of both Letchworth and Welwyn has naturally been slow, though Letchworth is now rapidly becoming an industrial community.

### FACTORIES ON THE INSTALMENT PLAN

A novel method of coping with this situation has been developed at Welwyn Garden City through the establishment of a series of what are termed "sectional factories," completed about a year ago and which have attracted much attention. These permit the industrial development of a plant gradually and by installments. Several firms have already taken single sections of such factories with a view to future extension, and one manufacturer has acquired a complete block comprising 4 sections, the internal arrangement and heating installation having been especially designed to meet his requirements. New industries which have taken factories during the year include an iron

foundry, a printing plant, a corset-making factory, a nursery food factory and a brick-making plant. In addition to these new factories several of the existing factories have carried out extensions to their plant.

Great progress has been made in the supply and consumption of electricity. Every house in the town has electricity available and the consumption has increased by 100% in the past year. Plans have been prepared by the local authorities for a second school to accommodate 400 children, while the extension to the first school was opened this year.

### WELWYN'S NEW THEATRE

The new theatre at Welwyn is very much a Welwyn affair, which is rather surprising in view of the fact that Welwyn Garden City has only been in existence for 7 years. The theatre is designed by Welwyn architects, built by Welwyn builders with bricks from Welwyn, sand from Welwyn and concrete aggregate from Welwyn, steel work made at Welwyn and castings made at Welwyn. The craftsmanship throughout in all respects is the work of local carpenters and painters and Welwyn electricians and technicians have had much to do with the evolution of the technical equipment. The theatre seats 1,200 and is in every respect a modern building, embodying to the full the latest developments in the art of theatrical production.

It is not surprising that Welwyn should have developed a theatre of this size and of this character, for interest in the theatre is very keen at Welwyn. In this connection it will be recalled that the local amateurs from Welwyn Garden City, under the direction of Charles B. Purdom, crossed the Atlantic a year ago and won the Belasco Cup in New York for the best production by amateurs, taking it away from all comers in Britain and in the United States.

### WELWYN TO BE ENGLAND'S HOLLYWOOD?

Among recent interesting developments at Welwyn Garden City are new factories now being erected for the moving picture industry, the first big moving picture studio in England erected in recent years having selected Welwyn as the most advantageous location for its work. Commenting on the reasons for this decision *Welwyn News* says:

The film industry has general factory requirements as exacting as any other, and, in addition, depends upon forms of social and business co-operation which exist in very few places. To take one point alone: it is a quick-thinking and quick-moving business. Leisurely methods are as foreign to it as long exposures. The ability of the Welwyn organization to design, build and provide all services for a new studio in the shortest time is symptomatic of what can be done by the town in the emergencies that continually arise in production.

What applies to the film industry applies to other industries. The provision of houses and factories near each other in ideal surroundings, with efficient public services and live town communities, is a vast improvement in methods that will, when it is generally adopted, do more for British industry than any ten ordinary Acts of regulation or protection.

### BRINGING LONDON NEARER

Another recent development at Welwyn was the establishment in March of a daily passenger motor bus service between Welwyn and London, with comfortable and high-class motor buses running on a closely scheduled timetable with a fare of 2s for the round trip.

In addition to this daily service, which leaves Welwyn as early as 7.45 in the morning, with return buses starting back from London as late as 7.30 at night, there is also a special theatre service, a bus leaving London in the heart of the theatre district at 11.30 p. m. on Tuesdays and Fridays.

### THE STORY OF WELWYN

An interesting review of the development of Welwyn Garden City was made by Sir Theodore Chambers, the Chairman of Welwyn Garden City, Ltd., in a paper read recently at the Auctioneers' Institute.

The foundation of Letchworth was outlined by Sir Theodore, and then he described the steps that led to the inauguration of Welwyn. He said:

Since the War Welwyn Garden City has been founded as a second experiment on similar lines. The atmosphere of the Armistice was favourable to a fresh consideration of housing problems, and the notion of starting a second Garden City was at an early date put forward by the "Garden City" school of thought. In February, 1919, the Garden Cities and Town Planning Association presented a memorandum to the Ministry of Health strongly arguing that the magnitude of the housing problem provided an opportunity for the adoption of a policy of decentralisation and population distribution on Garden City lines as a national policy. When the Housing bill was before Parliament efforts were made to insert clauses that would assist Garden City development, but the Minister was not sympathetic to anything that might tend to delay the actual building of houses in large numbers, which was the main object of the Government. Early in 1920 the report of a Committee appointed to advise on the principles to be followed in dealing with Unhealthy Areas, presided over by Mr. Neville Chamberlain, laid stress on the Garden City as one of the methods which might lead to redistribution of population. While fully appreciating certain practical difficulties the Report strongly advocated the policy and recommended that financial assistance should be given to such schemes in the early stages. Effect was eventually given to the Committee's recommendation in the Housing Act of 1921, which provided for loans for the development of Garden Cities.

## EBENEZER HOWARD ACTS

Early in 1919 Ebenezer Howard, convinced that the time was ripe for a second experiment, purchased off his own bat an area of 2,383 acres, or nearly four square miles, from Lord Salisbury and Lord Desborough to the north of Hatfield junction, 21 miles from London, for a sum of approximately £90,000. At this time, although the site was specially suitable for the purpose, it was a remote, almost inaccessible, agricultural district. It is true that one of the great main lines of the country intersected it, and that it was bounded on one side by the Great North Road; but, apart from this, it had little else but its natural beauty. The nearest railway stations were some two miles or so away—Hatfield to the south and Welwyn to the north. There was no water supply, no system of drainage, no electricity, no gas, and only a few inferior roads. Two or three farmsteads, a few agricultural cottages, one or two residences on the outskirts, a park, and several acres of timber, constituted the property. There was an insignificant population. Everything had to be done. Prices of all building materials and supplies were abnormally high. Money was difficult to find. It is almost impossible to conceive of circumstances which could have more severely tried the faith of the promoters.

## WELWYN FINANCE

On the 29th April, 1920, Welwyn Garden City, Ltd., was formed with a capital of £250,000, and serious work upon development was started. A brief sketch of the progress made during the past eight years may now be given. A total capital of just over £800,000 has been raised, of which between £250,000 and £300,000 has been lent by the Government in accordance with the provisions of the Housing Act, 1921, to which I have referred.

The present financial position of the company is satisfactory, and this has been greatly assisted by its subsidiary undertakings. Accounting on a cautious basis the balance-sheet as at 31st March last showed an accumulative profit in the profit and loss account of £44,000, against accrued 7% cumulative dividends on the ordinary capital of about £53,000, while throughout the period of development interest upon loans and debentures has been invariably paid in due course, and considerable repayments of capital to the Government have also been made.

In addition there is a sum of nearly £100,000 in respect of premiums on leases and royalties held in reserve, a considerable part of which must represent additional profit not taken into the profit and loss account.

In the earliest prospectuses of the company it was pointed out that the revenue was calculated to include profits from enterprises carried on within the area of control. It is interesting to note that the £31,387 gross receipts for 1926-27 were made up of £10,209 rents, £2,970 water revenue, and £18,128 from the electricity company and other subsidiary enterprises.

The total capital in subsidiaries amounts to nearly £600,000, of which about £300,000 comes from the company's resources and the balance from outside.

The largest of these subsidiary undertakings are Welwyn Garden City Electricity Supply Company, Herts Gravel and Brick Works, the

Welwyn Stores and Welwyn Builders. These are important potential sources of revenue, and go far to make the whole enterprise successful.

The water undertaking forms part of the parent company's business, and is not separately financed. It thus differs from the electricity company and the other subsidiaries. The water undertaking has been very successful. The water is of excellent quality and the consumption has reached 100,000,000 gallons a year, which, though high in relation to the population of 6,500, may be partly accounted for by the fact that every house has a bath—which is used, and not used for storing potatoes—and a garden, and some of the industries, notably the gravel washing, take a large quantity of water.

The figures of the electricity undertaking for the year 1927 are very remarkable—the units sold were 1,602,729, or 59.5% above 1926. The revenue over 1926 was 42.5%. The company owns nearly 45 miles of mains. Nearly 2,000 consumers are connected, and the average units sold per head of the population has reached 260. There are 314 electric cookers connected, of which 154 were connected in 1927. This is a good position with a population of 6,500. The power is purchased in bulk from the North Metropolitan Electric Supply Company, and distributed by our own supply company.

The Herts Gravel and Brick Works is also an interesting business. Some deep deposits of glacial gravel and sand to the south of the estate are being worked on intensive lines. The gravel is crushed and washed, and graded aggregates of all sorts are put on the market. The residual clay is used in a modern continuous-burning brickyard, which is calculated to supply 4,000,000 bricks a year. The sand and aggregate output is in the neighbourhood of 150,000 tons a year.

#### THE STORES

Welwyn Stores is a subsidiary enterprise which has probably created the widest economic interest. The capital involved is £76,000, and the annual turnover nearly £200,000. The stores are run primarily to confer service and to give the town the fullest advantages of efficient retail trading. The stores were started at an early date by the Company because it was by that means alone that it could hope to give an infant town the advantages of a "grown-up" one. We did the work boldly and well, and I think the system has provided the place with shopping conditions which are far in advance of anything to be found in a town three or four times the size and hundreds of years older. The stores pay to the parent company a full ground rent quite equal and probably in excess of anything it would have been getting from the number of small shops which might by this time have sprung up.

Welwyn Builders is a general building organisation belonging to the Company, without whose services we should have been at a loss. Its operations have been very successful.

#### A LABORATORY

It is too early to say how far the idea is capable of extension. Welwyn can only be looked upon as a laboratory where a valuable experiment in real estate development is being carried out; but in the presence of members of our profession I will say that I think there are some valuable and curious lessons to be learnt. The deliberate creation of values where you want them and in the form you want them, the

ability that one possesses to move values as well as to create them, the idea that is brought home that there are revenues derivable from real estate ownership which have hitherto not been recognised as such and which go far to permit of broad vision in placing—these and similar ideas float through one's mind when visiting the estate and exploring its development.

A word in conclusion on advantages to industry. Welwyn is well placed for the receipt of raw materials and for distribution by road or rail. Land is cheap and the rates are low. Workers can live close to their work and save expense and time in daily travel. None of the handicaps of industrialism which are to be found in every old city exist at Welwyn. New industries can start there under ideal conditions. Electric power is available at cheap rates, and an ample and pure water supply is obtainable. I think it is certain that Welwyn has a great industrial future, and I do not think this will in any way prove detrimental to residential development, since a zoning policy has been adopted which will preserve the amenities for all time.

An interesting point was brought out on this occasion by Sir Tristram Eve, who said that the production of food per acre from the house gardens at Welwyn was probably worth more than the agricultural produce raised there before the houses were built.

### THE IDEAL BOOK\*

We have just been perusing—we cannot say reading—what seems to us to be the ideal book. It has no author and no text.

We forget who it was in the House of Lords who one day remarked to a fellow Peer: "What a wonderful chap Northcliffe is. A few years ago he got out a paper for people who couldn't think, and it was a great success. Now, he has gotten out a paper for people who can't read, and it has been an even greater success." Whoever he was that said this, we share his view as to the effectiveness of the "tabloid."

The advent of the motion pictures has made our educators and psychologists realize at last that the average person receives more education through the eye than he does through the ear, or even through the mind.

It was a very happy idea, therefore, of the architects and designers of Welwyn Garden City to place before the public the results of their work in a book without text. Notwithstanding this absence of learned discussion—perhaps we might say because of that absence—this book gives architects and students of town planning a better realization of what has been done at Welwyn Garden City, and what a Garden City really is, than could be done by means of many thousands of words.

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\* "Site Planning in Practice at Welwyn Garden City", Ernest Benn, Ltd., 154 Fleet Street, London E. C. 4. Price 32s 6d (Postage extra).

The book consists of 100 plates, large in size and splendidly rendered. Many of these show site plans and others show elevations of the attractive houses which have been built at Welwyn Garden City from the designs of Louis de Soissons and Arthur William Kenyon, the architects of that charming community. Probably no better description of this unique and valuable book can be given than is given in the Introduction to this volume by C. B. Purdom, the distinguished authority on Town Planning, and the person, with Sir Theodore Chambers, more largely responsible for the carrying into being of Welwyn Garden City than any other individual. In his introduction, Mr. Purdom says:

This book illustrates by plans and photographs the site planning and street design that have been carried out at Welwyn Garden City. It is a noteworthy record from many points of view. Welwyn Garden City was established just under seven years ago as an entirely new town. The area selected for the town though near to London was rural, with no public services and few roads. The town is therefore a completely post-war undertaking, the plan and scope of the scheme and all the building and other work having been conceived and executed since 1920. It is thus to be regarded as an example of what can be accomplished under existing economic conditions.

Welwyn Garden City was designed as a town for a population of the size of Colchester or Bedford. It had to provide for houses of all kinds, both large and small, for shops and commercial buildings, public buildings, and industries. The idea was to accommodate a normal town population in such a way as to anticipate as far as is humanly possible the requirements of its inhabitants, securing the maximum advantages from planning the town as a whole, and enjoying the economy of working to a definite scheme. This, of course, is the antithesis to the prevailing manner in which other towns have grown and still extend, and the results are likely to be different from what are seen elsewhere.

The present volume deals with one aspect only of the town, the planning of the residential area, and does not even touch upon any other feature of the scheme. What is presented here, however, is of the greatest interest. It is an account of practical work undertaken under the severest economic conditions and reaching a striking measure of success. It should be understood that what is illustrated in the following pages is not a housing scheme in which considerations of cost and financial results were not of primary importance; but a series of building schemes that have been carried out under ordinary business conditions, and have proved commercially successful. These plans and photographs may therefore be studied as representative of commercial work made subject to a general plan.

Mr. Purdom points out that the houses built in the town range from £600 to about £3,000 in cost, and adds that the component parts of the street effect are small detached or semi-detached houses; pointing out that satisfactory results depend upon the right placing of buildings, the use of a flexible building line, and, particularly, the maintenance of a

cornice line throughout the street, so that both sides of the street may be considered together.

Mr. Purdom feels that Welwyn has gained much from this treatment and that the houses, while made subordinate to the street effect, have gained individually too.

As one looks at the plates it is a little hard to believe Mr. Purdom's statement that many of the houses are speculative building work. The reader will agree entirely with him that they have been designed and built with care, with regard for appearance, and with the idea of contributing to the pleasantness of the town.

While it is true that this book is a book of 100 pages without any text, it is also only fair to say that each illustration contains its little line of type pointing out in very pungent fashion the desirable features which it illustrates, so that he who runs may read—or rather so that he who reads may linger. For example, Plate IV carries this legend:

Showing the placing of a house as the terminal feature of a short cul-de-sac and the walls which close the gaps on either side.

Every architect, every town planner, every student of beautiful city development, whether he practices in America or in England, will need this "Book."

L. V.

#### A NEW BOOK ON ENGLISH HOUSING

Students of the housing problem in England have been singularly fortunate in recent years in the number of really wise, scholarly and practical books that have been written on the subject—such books as "Housing" by Major Harry Barnes, "A Handbook of Housing" by B. S. Townroe, "The New Housing Handbook" by Richard Reiss and "Satellite Towns" by C. B. Purdom.

Now comes a new book, "The Housing of the Nation"\*\* by Lieutenant Colonel F. E. Fremantle, a member of Parliament, a member of the London County Council and Consulting County Medical Officer of Health for the County of Hertfordshire.

We know of no way in which a person unfamiliar with the housing problem in England and the methods that have been adopted to solve it, can get so well, or so quickly, a full understanding and picture of the whole situation over there, as he can from this little book.

Prefaced as it is with a foreword by the Honorable Neville Chamberlain, Minister of Health, the book discusses the problem, then reviews the political history of housing before the War, during the War

\* "Housing of the Nation", by F. E. Fremantle, Philip Allan & Co., Quality Court, London W. C. 2. Price: 3s 6d.

and after the War, takes up the various housing schemes that have been elaborated since the War, discussing each in a separate chapter, the Addison scheme of 1919, the Chamberlain scheme of 1923, the Wheatley scheme of 1924 and finally the housing act of 1925.

The book also discusses the Building of Houses, England's Future Housing Programme, the question of Slum Clearance, of Reconstruction of Insanitary Houses, the Octavia Hill Method, Costs and Rents, New Forms of Construction, Rural Housing, Garden Cities, and Housing in Scotland.

It is a complete, simple, terse, practical compendium of the housing situation in England; and no student of the housing question can afford to be without it.

## REGIONAL PLANNING IN ENGLAND

### THE WEST KENT JOINT REGIONAL PLANNING SCHEME—1927 \*

Regional planning in England is making progress which can be described as remarkable.

Fifty-three (53) Regions have been organized and are in various stages of development in the preparation of schemes, the first of which was started in 1922. The number of constituent local authorities in each of the regional areas varies from 3 to 96, the last being the number comprised in the Manchester Region.

A number of these regional plans are being made for areas which, strictly speaking, are sub-regions of Greater London, as they lie in the commuting area of London's dormitory population. In December 1926 the Minister of Health convened a special conference in London of all local authorities in the London traffic area, when he advocated further coordination of town planning and the creation for that purpose of a Regional Committee to cover the whole of the London metropolitan area. Within this area there have already been prepared regional plans for West Middlesex, North Middlesex, North-West Surrey, West Surrey, Mid-Surrey, Thames Valley, North-East Surrey, South Essex, Hertfordshire, North-West Kent, North-East Kent, East Kent, South-West Kent, and South Bucks on Thames side.

The report of the West Kent Joint Regional Planning Committee, which comprises the schemes of North-West and South-West Kent follows the lines of other regional planning reports, and is an excellent example of a comprehensive study of the region with which it deals. Its production and the work which it describes is creditable to its

\* Published by Vacher and Sons, Ltd., Westminster House, Great Smith Street, London, S. W. 1; 132 pp; numerous illustrations. Price: \$2.50.

author, W. R. Davidge, F. R. I. B. A., who acted as consultant on this Region.

It is interesting to note that these regional schemes are prepared by official representatives of the local authorities. The object of their preparation is to secure in broad outline a general plan, as a guide to each authority in preparing its own town planning scheme. The purpose and result of the study is indicated by the Resolutions passed by the Joint Regional Town Planning Committees, as follows:

1. That the report and draft proposals submitted by the Consultant be approved, and that all constituent local authorities be recommended to embody such proposals in their individual town-planning schemes.
2. That the Joint Town Planning Committees continue to act as advisory bodies in their respective areas and that the local authorities be invited to confer with them from time to time on all local proposals affecting more than one authority.
3. That the attention of all constituent authorities be drawn to the necessity for the preparation of formal town-planning schemes for such portions of their area as are likely to be used for building purposes, and that all such schemes should conform to the general plan for the development of the Region.

The constituent authorities in the case of West Kent have jurisdiction over an area of 359,687 acres. The principal duties of the Committee have been to outline the broad allocation of areas to industrial, business and residential uses (zoning); the main traffic routes to be provided or improved; the provisions to govern density; proposals for open spaces for amenity, recreation or food production; the places where civic centers might be developed; and incidentally, such problems as water, drainage, and other services. The area here dealt with has been studied as to its primary land utilization for agriculture and as to the extent to which parts of the area have been or may be developed for industries and residence.

There is an interesting chapter on the historical features of the Region, which includes reference to the origin of the road system from the time of the Romans.

A striking characteristic of most English reports is the importance which they attach to the reservation of suburban land for agricultural purposes. In the West Kent Region, lying close to the edge of the crowded city of London, we find no less than 204,673 acres in cultivation and pasture out of a total of 359,687 acres. Mr. Davidge states that the bulk of the area must, of necessity, remain agricultural, and recommends that part of this land should be zoned for agricultural

purposes, thus preserving for the towns in perpetuity a belt of productive open space.

A careful analysis is made of existing and prospective industrial and residential growth. Figures relating to the increase of population show little more than a stationary condition, and, in certain areas, even a decrease. The totals show an increase from 423,237 in 1901 to 523,281, estimated in 1925.

There are the usual proposals dealing with transportation and traffic. Interesting suggestions are also made for preserving parts of the attractive country for open spaces. Through the center of this Region run the group of hills known as the North Downs, with their magnificent view over the garden county of Kent. Other reservations are proposed along the river valleys.

Next to the suggestions regarding agriculture perhaps the most striking feature of these English reports is the stress they place on preserving what is called "amenity". Thus open spaces are not proposed solely for recreation, but also to introduce agreeableness in the surroundings of dwellings. The same note is struck in regard to proposals for preserving trees, the charm of viewpoints and vistas, the architectural features of old village streets, and other things, which cannot be done without the use of legal power having an aesthetic purpose behind it. Progress in the matter of agricultural zoning and architectural control is slow in England as elsewhere, but the need of them is emphasized in every regional planning report.

One of the regrettable by-products of the increased use of the automobile has been the destruction of rural beauty, without any real necessity. It is hoped and expected that one of the benefits to be obtained in regional planning will be the preservation and utilization of the beauty of the land surrounding cities, without injury to the development of motor transportation.

THOMAS ADAMS,  
New York.

## THE ART AND SCIENCE OF THE REALTOR

A notable contribution to the literature of both Housing and City Planning is to be found in several of the volumes issued by the National Association of Real Estate Boards and published under the title of "Annals of Real Estate Practice". Following the form which has proved so popular in the last two years, these books, summarizing the wisdom and experience of the realtors of the country, have been published in 6 cloth-bound volumes, which contain 228 chapters and are rightly said

to constitute the finest library on Real Estate and Real Estate Methods yet published.

The volumes dealing with Home Building and Sub-Dividing, with Co-Operative Apartments and with Property Management have particular interest for our readers. The other three volumes concern themselves with Real Estate Brokerage, Industrial Property and Real Estate Finance. These six volumes contain over 211 articles written at the request of the Executive Committee of the National Association of Real Estate Board's specialized Divisions, the articles having been chosen to cover topics upon which information is now felt to be most needed in advancing real estate practice. The contributors are authorities in the field of real estate, although in some instances technical authorities in other fields have been drawn upon, in addition.

These six volumes, in octavo cloth, are obtainable from the National Association of Real Estate Boards, 310 South Michigan Avenue, Chicago, Illinois at \$2.50 per volume.

#### A NEW GARDEN VILLAGE—RADBURN

A new satellite town is about to be built near New York. The City Housing Corporation, a limited-dividend company which has been responsible for the successful development at Sunnyside Gardens in Long Island City, has purchased 1,150 acres of land in New Jersey as the site for the new town. It is to be named Radburn and is situated between Paterson and Hackensack, about 17½ miles from New York City along the line of the Erie Railroad at Fair Lawn. A complete town is planned for a population of about 25,000, providing for industry, business, homes and recreation. The land purchase involved an expenditure of more than \$2,000,000 and the completed town, it is estimated, will represent a value of between \$50,000,000 and \$60,000,000.

A portion of the site is being laid out for industrial purposes with railroad sidings and other facilities and it is expected that industries from New York will move to the new town. On completion of the Hudson River Bridge and the roads directly connecting therewith these industrial sites will be only 11 miles from Manhattan Island.

One of the early experiments in the building of Radburn will seek to develop a street system which will make for much greater safety from traffic accidents than the average residence area affords. It is proposed to build a unit for from 400 to 600 families in houses grouped about a series of closed-end streets opening from traffic highways. A complementary system of parkways and garden paths will be provided for pedestrians.

Children will be able to go a half mile to school along these paths and parkways without the necessity for crossing a street; there will be play-grounds in the park areas reached by garden paths leading directly from the houses; and neighborhood shopping centers will be equally accessible with the same safety. Should the experimental unit built on this plan prove successful, succeeding units will follow the same general scheme.

Construction will begin about July 1st on the new project. Although no definite schedule has yet been decided on, it is likely that several hundred houses will be ready for occupancy early in 1929.

The building of Radburn will be the second large housing enterprise which the City Housing Corporation has undertaken under the leadership of Alexander M. Bing, its president. In developing Radburn, Mr. Bing will have associated with him as technical advisers, Thomas Adams, Clarence S. Stein, Henry Wright, Robert D. Kohn and Frederick L. Ackerman.

Contrary to an impression that prevails in some quarters, Radburn will not be a Garden City, though it will have some Garden City features. It will be impossible to provide an agricultural belt around it, owing to inability to acquire the land; nor is the site so compactly situated or arranged as to render this feasible.

Nor will the population be limited. Nor will the land be kept and only leased to the occupiers. It will be sold under restrictions. Store sites the company expects to hold on short term leases, thus taking the unearned increment for the benefit of the corporation owning the development.

### THE VANISHING AMERICAN HOME

A year ago\* we raised the question in these columns whether the American home was disappearing. Statistics collected then by the U. S. Bureau of Labor Statistics covering the facts as to building permits in 294 cities of over 25,000 population indicated the very striking decrease in the building of small homes, and a very remarkable increased trend toward the building of apartment houses of the multiple dwelling type.

Recent figures gathered by that Bureau, analyzing the statistics for the same cities during the fiscal year ending July 1st, 1927, indicate a continuance of this trend with a steady decline in the construction of single-family dwellings, a greater percentage of families provided for in apartment buildings, and a greater amount of money

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\* See "Housing Betterment", July, 1927, pp. 123-7.

spent for apartment house construction than for any other type of residence building.

These figures represent an analysis of building permits in 302 cities of over 25,000 population covering approximately a population of 43,919,581 people. Since 1921 there has been a constant and steady development along these lines. The contrast is really quite striking. In 1921 58.3% of the families provided for by the new building construction were provided for in 1-family homes; in 1927 in 257 identical cities but 38.3% of all the families whose housing accommodations were provided for, were in buildings of this type.

In 1921 17.3% of all families provided for were provided for in 2-family homes. Today but 13.4% are thus provided. In 1921, the apartment house tendency was relatively slight. In that year 24.4% of all families for whom living accommodations were provided were housed in multi-family dwellings of various types. Today that proportion has doubled; 48.3% were so provided for in 1927. Out of 462,414 families for whom provision was made in the new construction of that year, 188,074 were in 1-family residences, 54,320 in 2-family buildings and 196,263 in multi-family houses.

There can be no doubt that the whole trend in the method of living of the country is away from the private home, toward the multiple dwelling,—a trend which is fraught with serious significance for the well-being of the country.

Commenting on this fact the *American City* offers as a means of stemming this tide and preventing the country from becoming a nation of cliff dwellers, a method which has been put into operation in Madison, New Jersey—a suburban community of about 6,000 population 26 miles from New York.

Some months ago the city of Madison adopted an amendment to its building code, by the terms of which the erection in any part of that community of buildings to house more than one family for each 2,500 square feet of lot area was prohibited. Stated in other terms, this is equivalent to imposing a maximum density of 17 families to the acre.

Although this provision has not yet been tested in the courts, it is believed that it will stand the test. One interesting result of it has been already made manifest. In one case where an apartment house application was considered since the adoption of the amendment, through friendly agreement the prospective builder was induced to revise his plans for the structure contemplated so that it would only house about 28 families on about two acres of land—a much less number than had been originally proposed.

By requirements of this kind in building codes or by more liberal provision than has heretofore been made in zoning ordinances for open spaces around multi-family buildings, it is suggested that communities of less than metropolitan size will go far toward avoiding the serious evils of congestion on the land and in the streets that now menace the larger cities.

### THE PROGRESS OF ZONING

A Report issued in March by the U. S. Department of Commerce, shows the popularity of the Zoning movement and its remarkable and rapid spread throughout the country. When it is realized that this whole movement is as recent as 1916, when the first comprehensive zoning law was passed in the city of New York, the progress which the movement has made is little short of bewildering. At the end of 1923 the number of places which has adopted zoning regulations was 266, and since that time it has more than doubled.

According to this Report, by the end of 1927 zoning laws had been enacted by 45 states and the District of Columbia. Of these, 23 states passed laws during last year. Some of these states amended previous legislation and others extended the power to zone to other groups of cities. Three new states heretofore without zoning legislation enacted zoning laws for the first time. These were the states of New Mexico which authorized its cities, towns and villages to zone; South Dakota, which passed a general zoning enabling act applicable to all municipalities; and West Virginia which amended the charters of the cities of Charleston and Wheeling, by authorizing zoning in those cities.

In New Jersey the voters ratified an amendment to the Constitution granting the power to the legislature to enact zoning laws. The Delaware legislature approved an amendment to its Constitution empowering municipalities other than counties to adopt zoning ordinances—an amendment which will have to be ratified by the People at the polls before it can become effective.

The Georgia legislature passed a number of zoning laws, chief of which were constitutional amendments conferring authority upon the city authorities to enact zoning and city planning legislation, requiring subsequent ratification by the voters at the polls. It also authorized zoning for territory outside the boundaries of various municipalities.

The states of Arizona, Massachusetts, Michigan, New Jersey, New York, North Carolina and Pennsylvania amended or revised existing zoning legislation.

Indiana extended to towns the application of its zoning legislation, which heretofore had applied only to cities. The state of Maine, which

enacted a zoning law in 1925 applying to cities of over 35,000 inhabitants and village corporations, enacted legislation extending the zoning right to cities, towns and villages.

Maryland, with special legislation for two municipalities, passed general zoning legislation applying to cities and incorporated towns containing more than 10,000 inhabitants. Missouri extended the zoning privilege to all municipalities of counties having more than 15,000 inhabitants—heretofore the law had been limited to municipalities in counties having more than 50,000 inhabitants. Nebraska, heretofore with legislation applying exclusively to Omaha, passed a law permitting zoning in cities of the first and second class and in villages. Texas passed a general law applicable to cities and incorporated villages; previously it had enacted special legislation.

Tennessee passed a special law applying to the city of Jackson, and Virginia enacted a special zoning law applying to Arlington County—embracing several suburbs of Washington, D. C.

Wisconsin amended previous legislation, making zoning applicable to villages and to territory outside of cities and villages, and enacted a special provision regarding the authority of the board of adjustment in enforcing county zoning ordinances.

Full details of the 1927 zoning legislation, both state and local, with the names of the states, chapter numbers, title of the acts, and the names of the cities passing zoning ordinances, with the kind of ordinance enacted, will be found set forth in this bulletin, obtainable upon application to the U. S. Department of Commerce at Washington.

How remarkable the progress of zoning has been, is realized when one learns that the number of zoned municipalities in the United States in March of this year was 583, with a population of more than 31,000,000 inhabitants, based upon the 1920 census figures; but probably a population in excess of 35,000,000 if the growth of those communities since the last census is allowed for.

More than 57% of the urban population of the United States is represented in these 583 places. Fifty-five (55) of the 68 cities which in 1920 had more than 100,000 population in each, now have zoning ordinances in effect and zoning activities in the remaining 13 unzoned cities of that group are in various stages of development.

At the other end of the list with respect to size there are 53 municipalities of less than 1,000 population which are now zoned.

## THE PROGRESS OF CITY PLANNING IN THE UNITED STATES

Theodora Kimball Hubbard, in the April issue of *City Planning*, gives her annual Survey of Regional Planning Progress in the United States during 1927.

If anyone wishes to know what is happening in the United States in the city and regional planning field he will have his questions answered by this comprehensive report of Mrs. Hubbard's. It is literally both thrilling and bewildering, with the vast number of projects that are reported upon and the evident progress that is being made in the orderly development of our cities. We commend this study to all of our readers, who will find in it most valuable and useful material.

### CITY PLANNING A FACT

That City Planning is actually an accomplished fact in the United States and a live public movement, not merely the dream of a few idealists, is evidenced by a 23-page multigraphed bulletin, issued by the Division of Building and Housing of the U. S. Department of Commerce in March last, entitled "A Preliminary Tabulation of City Planning Commissions of the Larger Cities in the United States."

In this Report, it is pointed out that 206 of the 287 largest cities of the country have recognized the value of far-sighted planning for orderly development, and that as many as 244 smaller places have already appointed Planning Commissions, making a total of at least 450 communities in the country that are now actively at work upon City Planning schemes.

The Report lists 287 municipalities of over 25,000 population, according to the 1920 census, which have city planning commissions, grouping these by states and showing with regard to each city the following facts: Whether the city is zoned and whether it is a comprehensive zoning ordinance or not; whether it has a City Planning Commission and whether it is official or unofficial; whether its members are paid for their services or such services are voluntary; whether the members are all ex-officio or appointive, or both; the term of years for which the members are appointed and the title of the executive officer.

Copies of this interesting document can be obtained on application to the Division of Building and Housing of the Department of Commerce at Washington.

## CHICAGO'S REMARKABLE ACHIEVEMENTS

After 18 years of continuous effort in developing her city plan Chicago still leads the United States in her record of achievements in the city planning field.

Not only are the various projects which were embodied in the original Chicago city plan as developed by the late Daniel H. Burnham and Edward H. Bennett being carried out, one by one as opportunity offers, but new and, in some cases, startling suggestions are coming from that wideawake and prosperous community.

No sooner has the great double-decked street known as Wacker Drive been started, and, even before it has been brought to completion, than the country is startled by fresh and novel proposals.

Probably the most original of these is the scheme for a "Skyscraper Bridge" spanning the Chicago River at its mouth, where it empties into Lake Michigan, and linking together the great north and south boulevards of the city. The scheme in question was conceived by Charles L. Morgan and is unique in its combination of a bridge with a skyscraper office building. The bridge will be carried aloft on piers 25 or more stories in height at the peak. Each of these piers will be in effect an office building, filled with offices which can be rented at a considerable profit. We have often wondered why the piers of our great bridges were not utilized in this fashion. It has always seemed a great waste of an opportunity.

The bridge spans will be so high as to permit unobstructed river traffic, thus doing away with that terribly costly opening and closing of bridges over the Chicago River which has prevailed for so many years, greatly to the detriment of the traffic and commerce of that city. Alternate arches between the skyscrapers will span streets and alleys. Under the scheme, tenants and employees will enter their offices by elevators either from the upper boulevard which will take them down to their offices, or from the street level below. While huge trusses will occupy much of the mass at the crown of the arches, it is contemplated that there will be sufficient space at these points to provide two stories for garage purposes.

The scheme is not only novel but seems to us eminently practical, and with Chicago's well-known spirit for accomplishing difficult tasks, we predict that it will be carried into effect before long.

### A 10-MILE SUPER HIGHWAY

Another great project which Chicago is now considering is for a 10-mile \$60,000,000 Super-Highway for motor express traffic. This

highway 10 miles long and 210 feet wide is projected to extend from the downtown district to the Northwestern city limits at Jefferson, without cross traffic or left-turn traffic during the entire distance.

The scheme was first suggested to the Chicago Plan Commission in 1923 and has been much developed since the original suggestion was made. In its present form it has been worked out very largely by Hugh E. Young, Engineer of the Chicago Plan Commission and by the present Chairman of that body, James Simpson.

The plan contemplates an elevated Super-Highway 160 feet in width extending for the entire 10-mile length with an estimated capacity of 250,000 vehicles a day, and bordered throughout most of its way by a 50-foot wide low-level thoroughfare. It is stated that the proposed improvement, if constructed as planned, will shorten by 3 miles the distance which the major part of the traffic on 300 miles of main improved highways now travels, and will reduce the time required to travel the 10 miles between the Northwestern city limits and the heart of the city by from 20 to 40 minutes.

It is estimated that the total cost of this great project, including the Super-Highway, the low level local streets, the ramps, the balustrades, the lighting fixtures, the architectural embellishments, the property acquired, the damages to buildings compensated, the construction costs and all other expenses will amount to about \$60,000,000, of which \$37,900,000 represents construction costs and \$22,100,000 represents cost of land and building damages. It is proposed that the city should finance this great project through a bond issue and, in addition, a reasonable special assessment upon the property benefited.

This great improvement known as the "Avondale Avenue Improvement" has been officially approved by the Chicago Planning Commission and recommended for adoption to Mayor Thompson and the city council. An interesting feature of the scheme is the utilization of the space over the tracks of the Chicago and Northwestern Railway, a portion of the super-highway being built above these tracks. If this feature is carried out it will naturally involve the electrification of the railroad at these points.

#### "FACE-LIFTING" THE CHICAGO RIVER

Probably one of the most original and daring features of the Chicago plan that is now being carried out is not merely in building Super-Highways or cutting new great thoroughfares through the heart of the city, extending out for miles, but in actually straightening the Chicago River. An awkward bend in the south branch of the river

between 12th and 18th Streets, or rather a series of bends, has caused great traffic difficulties and seriously handicapped the development of that portion of Chicago adjoining it, because important streets to and through the downtown section have been thus obstructed.

The situation has been complicated by the vast railroad yards which occupy land on both sides of the river for a distance of practically a square mile, thus greatly complicating the natural river obstruction. In this area there is now only one through street running north and south, Clark Street, and no through street running east and west. What a serious obstacle this is to traffic in the center of Chicago is appreciated, when it is recalled that this is only a half a mile south of the most valuable "Loop" property.

All of these conditions, however, are likely soon to be remedied and these barriers to progress, both natural and artificial, removed. The work is already well under way. The river channel is to be straightened, and there is to be a readjustment of railroad property, and streets are to be carried through; thus providing 3 additional north and south streets and 2 additional east and west streets, all of which are through traffic arteries in an area now served by only one. It is estimated that the work of river straightening will take 5 years and will cost in round figures \$7,000,000. This cost, it is expected, will be more than met by the increased property values, the officials having estimated present values of property affected, at \$8,900,000; which, after the straightening, they believe will show an increase in valuation of \$5,000,000.

#### MAKING IT PAY ITS OWN WAY

One of the interesting features of this project that has not heretofore had much public discussion, and that apparently has not been known outside of Chicago, and therefore has not been publicly discussed by city planners in America, has been the pooling of their property by the owners of the property involved, who have deeded their land to a trustee created for the purpose. For the land thus deeded, the individual owners received a total credit of \$8,900,000. After the work has been completed, the trustees will deed back the new property to the various owners receiving a total of \$13,900,000 for it, thus realizing a profit of \$5,000,000, which will be used to defray the cost of the improvement. By this method the cost to the city of this great piece of city re-planning will be reduced from \$7,000,000 to \$2,000,000. The difficulties of this river-straightening plan go far beyond the engineering and practical difficulties involved. The whole scheme is greatly com-

plicated by the presence of numerous railroad tracks in the district affected. It is proposed that when this improvement is completed, to utilize the "air-rights" by building streets over the railroad property, from which a very valuable and desirable area is expected to follow. This is just a forerunner of vast potential "air-right" buildings which it is expected will characterize Chicago's future development.

This is by no means the first time that the municipal surgeons of Chicago have practised upon the poor old Chicago River. Ten years ago they literally "lifted its face". For they moved its mouth three-quarters of a mile. A little later they gave it "new glands", and made it not only flow the opposite way but even flow uphill—a change which has had important national consequences.

### THE LAKE SHORE AND THE NEW LAGOONS

Those who have visited Chicago will be struck by the great progress that is being made on the reclamation of the shore land adjacent to the lake front, which is now rapidly becoming apparent in the development of Grant Park opposite the downtown business section. The work that is thus going on is rightly characterized as fascinating. Where dredges and dumpcarts are now diligently at work there will soon be 1,138 acres of park. In addition to filling in the shallow water east of the railroad tracks, 600 feet further out in the lake there is being created a series of islands to be connected by bridges, and which will parallel the new Shore Line Park for the entire 6 miles between Jackson and Grant Parks. The enclosed waterway or lagoon thus created will cover an area of approximately 343 acres, affording opportunity for regattas, rowing, boating, bathing and skating. Bridges over the lagoon will make the islands accessible from the shore park which will be connected with the mainland by viaducts over the depressed railroad tracks.

These are but a few of the great improvements which Chicago is making.

It is an inspiring example to every other city and we urge them to go and do likewise.

### ZONING AND THE COURTS

Since the legality of zoning was firmly established by the decision of the United States Supreme Court in the Euclid Village case, we have not in these columns discussed at any length subsequent court decisions as to the validity or invalidity of various zoning ordinances. For it has seemed

a work of supererogation. In that period of time there have been many decisions handed down by the courts of the various states.

We do not intend now to depart from the principle that we have just laid down. The decisions have been so numerous that it is out of the question for us to discuss them all here. What we shall do, however, is to call attention to those that have special points of interest for our readers.

### MISSOURI HAS BEEN SHOWN

One of the most important happenings of the year in this field has been the complete reversal of its previous attitude by the State of Missouri. Our readers will recall that in the fall of 1923 Missouri's highest court, the Supreme Court, by a 4 to 3 decision held the zoning law of the city of St. Louis to be unconstitutional and void\* (*State ex rel. Penrose Invest. Co. et al. v. McKelvey*, 256 S. W. 474).

Discussing this decision shortly after it was handed down we said

The decision is a most unfortunate one. One wonders whether this might not have been a very different decision if the city of St. Louis had, like other communities, proceeded under a carefully drawn enabling act in which the state legislature had specifically granted to the city the specific power to divide the city up into various districts and to regulate the uses of buildings in those districts along certain lines. The city of St. Louis, however, did not proceed under such enabling act, but assuming that the general powers granted to it under its charter permitted the enactment of a Zoning Ordinance proceeded to the enactment of such an ordinance. These general powers, however, dealt primarily with enabling the city to prohibit uses that were obviously detrimental to the health of the community and the suppression of nuisances as popularly understood. While it is true that the language used was somewhat broader than this, yet it is a fair statement that the general purport of the charter provision was along such lines. We believe that if, instead of proceeding under these powers the city of St. Louis had been proceeding under such definitely granted powers as are found in the Standard Zoning Enabling Act of the U. S. Department of Commerce, or to be found in the Enabling Act of New York State, the decision of the court might have been quite different.

And that's what the people of Missouri did. They secured from the legislature in 1925 a proper enabling act (Laws of 1925, p. 308) following very closely the Standard State Enabling Act of the U. S. Department of Commerce. Subsequent to the enactment of this enabling act, the city of St. Louis enacted a new zoning ordinance. It is this new zoning ordinance which has recently been challenged and has been the subject of review by the Supreme Court of Missouri in the case of *State ex rel. Cadillac v. Christopher*, 298 S. W. 720.

The issue involved in this new case was exactly identical with the issue involved in the earlier case in which the Supreme Court in 1923 had found the St. Louis zoning ordinance to be unconstitutional and void. In both cases the question turned upon the validity of a Use provision. In the 1923 case the building in question for which a permit had been denied by the local authorities was a proposed ice factory

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\* See "Housing Betterment", February, 1924, pp. 78-82.

located in a residential district. In the new case the building proposed was an automobile salesroom with storage building and garage combined.

The difference in the two situations, however, was that in the 1923 case there had been no enabling act and the Court was asked to construe rather vague and indefinite powers enjoyed by the city under its broad grant of power in its charter; whereas, in this recent case a definite enabling act, following closely the lines of similar statutes enacted in nearly all of the states of the country, had specifically granted to the city of St. Louis in express terms the powers that were under review and being challenged. In addition, there was this further change that this whole question of the validity of zoning laws had since the earlier decision been settled with finality by the United States Supreme Court in its important decision in the Euclid case.

It is proverbial that the people of Missouri "want to be shown", and it is not strange therefore that the highest court of Missouri should share the characteristics of its people. The sensible thing to do was to show them. Having been shown, they have taken the same view of the question that the highest courts of other states have taken, and have found zoning laws to be a legitimate exercise of the police power of the state.

On this point the majority opinion is most sound. It says:

In this connection it should be said that the test is not whether the individual members of this or any other court think the ordinance wise or expedient; that was for the determination in the first instance of the legislative body which passed it. Before we can hold it invalid, we must find that its provisions have no real or substantial relation to the evils of congestion in the streets, fire hazard, overcrowding, etc.

It is rather refreshing to find the court taking judicial notice of the Department of Commerce Standard Zoning Enabling Act. That the court was very greatly influenced by the United States Supreme Court in the Euclid Village case there can be no question. On this point the majority opinion says:

As intimated at the outset, the constitutionality of city zoning laws has been so fully and painstakingly considered by so many courts of last resort, including the Supreme Court of the United States, that for us to attempt a general survey of the police power and then point out the particular features of such laws which bring them within its constitutional sphere would be a work of supererogation. We therefore deem it sufficient to say that we are in accord with predominant judicial opinion which holds that an ordinance of the general character of the one involved in this case is a valid exercise of the police power.

There are other collateral and incidental questions settled by this opinion, but they have not sufficient general interest for our readers

to warrant our giving space to a further discussion of them here. It is interesting to note in passing that this later decision, like the earlier one to which we took such great exception, was also a 4 to 3 decision and as in the earlier decision the minority wrote opinions supporting their views.

One of these minority opinions has an amusing aspect because of the fact that a member of the court seems to resent in rather waspish fashion the fact of Frank B. Williams' existence. At any rate he represented the intrusion into the case of opinions or views of mere "text writers". Almost equally infuriating to him, apparently, has been the fact that the opinions of economists like Richard T. Ely and leaders in the city planning movement like Professor Tealdi of Ann Arbor University should be brought into this case in any fashion.

We congratulate the people of Missouri upon this new decision, and upon the fact that they, along with practically every other state in the Union, are now in a position to protect their property interests and their homes, undisturbed by the invasion of injurious and objectionable uses.

## SIDE YARDS MAY BE REQUIRED

### THE MARYLAND DECISION

A decision handed down by Maryland's highest court, the Court of Appeals, in March a year ago (*R. B. Const. Co. v. Jackson*, 137 Atl. 278) has special interest for our readers. For, not only was a provision of the Baltimore zoning ordinance sustained by the highest court of Maryland, but specific requirements for compelling a space to be left between adjacent buildings in the form of side yards was upheld as a reasonable exercise of the police power.

This decision, so far as we know, is the first decision of its kind to have been handed down by the highest courts of any of our states. When it was proposed in the Minneapolis housing law some years ago to enact a requirement of this nature, there was grave doubt in the minds of the persons responsible as to whether the courts would sustain a requirement of this nature. Not whether a requirement laying down certain minimum sizes for side yards would be sustained, but whether a requirement would be sustained which in effect practically forbade the building of houses in continuous rows. For, that is what is involved in a provision which compels the leaving of a side yard on either side of all buildings to be erected in the future.

The Baltimore zoning ordinance had such a provision with regard to buildings erected in the so-called "E" districts, the provision being

to the effect that "there shall be reserved on each lot at least one side yard not less than 10 feet wide". Certain exceptions were made in the ordinance to provide for exceptional cases.

In the case at bar the issue involved the erection of 16 two-story dwelling houses in a continuous row in the fashion of the Philadelphia and Baltimore row house. These did not provide for any side yards. A permit was refused by the local authorities and a mandamus was then applied for to compel the issuance of the permit; judgment having been entered for the defendant, the case was appealed to the highest court.

Discussing the validity of this question, the court in its opinion said:

In this case there is a conflict between a private property right and the desire of a great city to regulate its own growth. The property right should be protected against any unwarranted invasion, but it should not be permitted to defeat legislation enacted by the city within the limits of its police power for the general benefit of its inhabitants. The evident design of the provision for side yards in the outlying zone areas was to prevent the indefinite extension of the city in compact building formation. It was considered necessary from the standpoint of the public welfare that there should be some relief in the suburbs from the congested conditions existing in the sections of the city which have become densely populated. There could be no assurance of such an advantage to the people of the city if its building expansion must be continuously subject to the unregulated control of private individuals. In providing a comprehensive plan for the future growth of the city the zoning ordinance presumably reflects the collective desire and judgment of the people of Baltimore with respect to that important public interest. The effort of the city to apply the limited measure of control specified in the ordinance, in regard to building areas, should be judicially sustained if it bears a perceptible relation to any community interest for which the police power, delegated by the State to the city, can properly be invoked.

The decision has other aspects of interest for our readers because of its strong sustaining of zoning as a principle.

Significantly, this, like other decisions of this famous court, was a 4 to 3 decision.

### LAWLESS BOARDS OF APPEALS

We have had occasion in these columns in a number of instances to call attention to lawless acts of Boards of Appeals in construing Zoning Ordinances, often completely disregarding the clearly expressed limitations upon their powers found in the laws creating them.

The greatest offender in this direction is, unquestionably, the New York Board of Standards and Appeals, though there are many boards throughout the country who are similarly guilty of lawless acts. The

higher courts in New York have constantly called the attention of the New York Board to the respects in which they overstep their powers, but these cautions seem not to have the slightest restraint upon them.

The situation has gotten so bad that it almost amounts to a public scandal. The citizens of New York, apostrophising this Board, might well ask, in terms of the famous Oration against Catiline:

“How far wilt thou, O Catiline, abuse our patience? How long shall thy madness outbrave our justice? To what extremities art thou resolved to push thy unbridled insolence of guilt?”

Several recent decisions handed down by the courts point in striking fashion to these lawless acts, but the Board apparently pays no attention to them and goes on its own way and does as it pleases.

A recent instance of this kind is found in a decision handed down by the Appellate Division of the Supreme Court, First Department, in New York in the Stillman case involving property at 40th Street and Park Avenue. In rendering its decision, the Appellate Division says with reference to the Board of Standards and Appeals, which had granted a permit to erect an office building in a residential district:

The Board seems to have assumed that this modification of the zoning resolution for the benefit of a single property owner could be made because it was advantageous to the particular owner. The number of appeals to this court in this class of cases prompts up to restate that there is no power in the Board of Standards and Appeals to vary zoning requirements for any such reason.

And the Court then goes on to point out the clearly defined limitations of the Board's powers.

A similar instance of outrageous and unwarranted action by the New York Board of Standards and Appeals was recently commented on by a judge of the Supreme Court, Judge Druhan, in the case of *Pounds v. Walsh*, 223 N. Y. S. 459. Commenting on the action of the Board in this case the Court said:

Larger profit from apartment buildings not complying with the zoning resolution does not represent a case of unnecessary hardship.

And further, that the Board of Standards and Appeals was not concerned with granting relief in a specific case, but being in disagreement with the action of the Board of Estimate and Apportionment, it attempted to amend the Building Zone Resolution itself. The Court very rightly says it has no such power.

We commend a careful perusal of these decisions to the members of Boards of Zoning Appeals throughout the country.

We predict that if such Boards do not soon mend their ways, a wave of resentment will sweep the country and that some other method of finding adjustment of zoning ordinances will be developed.

## A CITY PLANNING PRIMER

The U. S. Department of Commerce has recently released for publication the document entitled "A City Planning Primer"—a horrid title, we wish it had another one—prepared by the Advisory Committee on Zoning and City Planning, appointed by Secretary Hoover.

The appearance of this pamphlet is particularly timely when City Planning is making such tremendous strides in this country. The pamphlet, as its title indicates, is intended to be a discussion of fundamental principles involved in City Planning, is written in an attractive way and is intended for the man in the street.

It concerns itself with such subjects as:

Is Your City Selling Its Birthright?, What Is City Planning?, What Is A City Plan?, How Is The Plan Given Effect?, Planning Rests On Legal Basis, Transportation, The Street Plan, General Requirements For The Street System, The Approaches To The City, The Central Business and Shopping District, Wholesale and Warehouse Districts, Industrial Districts, Produce Markets, Location of Public Buildings—Civic Centers, Residential Districts, The Outskirts of the City, Parks and Playgrounds, Carrying Out the City Plan, City Planning Commission and Its Work, Technical Planning Service, Executing and Financing the Plan, Control of New Subdivisions, Zoning, A City Plan Eliminates Waste, A City Plan Promotes Safety, Regional Planning and the Borderland Beyond the City, Modern Planning Has Met the Test of Experience, and Conclusions.

This 18-page pamphlet can be obtained from the Government Printing Office at 5 cents per single copy and in quantities at the following terms: 500 copies, \$20.50; first 1,000 copies, \$28.50; each additional 1,000 copies, \$16.50.